

## **EXHIBIT B**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

KRISTIN M. PERRY, SANDRA B. STIER,  
PAUL T. KATAMI, and JEFFREY J.  
ZARRILLO,

Plaintiffs,

vs.

ARNOLD SCHWARZENEGGER, in his  
official capacity as Governor of  
California; EDMUND G. BROWN, JR., in  
his official capacity as Attorney General  
of California; MARK B. HORTON, in his  
official capacity as Director of the  
California Department of Public Health  
and State Registrar of Vital Statistics;  
LINETTE SCOTT, in her official capacity  
as Deputy Director of Health Information  
& Strategic Planning for the California  
Department of Public Health; PATRICK  
O'CONNELL, in his official capacity as  
Clerk-Recorder for the County of  
Alameda; and DEAN C. LOGAN in his  
official capacity as Registrar-  
Recorder/County Clerk for the County of  
Los Angeles,

Defendants.

Case No. 09-CV-2292 VRW

**EXPERT REPORT  
OF GARY M. SEGURA**

**I. Qualifications and Engagement**

My name is Gary M. Segura. I have been retained by Plaintiffs' counsel as a consultant in connection with the above-referenced litigation. My background, experience, and list of publications from the last 10 years are summarized in my curriculum vitae, which is attached as Exhibit A to this report.

I am a Professor of American Politics in the Department of Political Science at Stanford University. I am also the founding Director of the Institute on the Politics of Inequality, Race and Ethnicity at Stanford, and the founding co-Director of the Stanford Center for American Democracy. In that latter role, I am one of the Principal Investigators-Designate of the American National Election Studies for 2009-2013, the premier data-gathering project for scholars of American elections.

In 1992, I received a Ph.D. in American Politics and Political Philosophy from the Department of Political Science at the University of Illinois in Urbana-Champaign. My tertiary field of emphasis was political methodology. My MA was also from Illinois in 1990, and my undergraduate degree is from Loyola University of New Orleans, in 1985.

My primary emphases in my scholarly research and writing are on public attitudes, opinion, and behavior with respect to politics, and minority group politics. I have taught classes on elections, public opinion, representation, Congress, Latino politics, Gay and Lesbian politics, race and racism, the Voting Rights Act, inequality and American democracy, interest group politics, philosophy of science, research design, and statistical analysis (introductory and advanced).

To date, I have 42 article-length publications in professional journals and edited volumes. Those journals include the American Political Science Review, the American Journal of Political Science, Political Research Quarterly, Political Behavior, and the Journal of Politics. I edited *Diversity in Democracy: Minority Representation in the United States*, published by the University of Virginia Press. I am also the co-author of a forthcoming book addressing new patterns of Latino life and politics in the US, being published by Temple University Press in early 2010. I am under contract with Congressional Quarterly Press for a third book, a comparative exploration of political behavior across American racial and ethnic minority groups and how that will shape American party coalitions in the coming decades. We anticipate the publication of this volume in late 2010 or early 2011.

I am currently the President of the Midwest Political Science Association, the second-largest organization of American political scientists. In 2006, I was the General Program Chair of the MPSA Annual Meeting. In addition, I am a member and former Executive Council Member of the American Political Science Association, member and former Executive Council Member the Western Political Science Association, and member of the Southern Political Science Association. I serve on the editorial boards of the American Journal of Political Science, Journal of Politics, and Political Research Quarterly. I am a member of the Sexuality and Politics organized section of the American Political Science Association, have served on the Southern Political Science Association's Committee on the Status of Gays and Lesbians, and was part of the Executive Committee of the Sexuality Studies Program at the University of Iowa.

In the past four years, I have not testified as an expert at trial or by deposition. For my work on this matter, I am being compensated at a rate of \$200 per hour, plus reimbursement of expenses. My compensation does not depend on the outcome of this litigation, the opinions I express, or the testimony I provide.

## **II. Summary**

If Plaintiffs call me to testify at the trial as an expert witness in this matter, and as discussed in greater detail below, I currently expect that my testimony will relate to the relative political power of gays and lesbians as a class of citizens, and their level of political vulnerability.

In sum, my opinion is that gays and lesbians do not possess a meaningful degree of political power, and are politically vulnerable, relying almost exclusively on allies who are regularly shown to be insufficiently strong or reliable to achieve or protect their interests. Their powerlessness is evidenced in numerous ways; and they are subject to political exclusion and suffer political disabilities greater than other groups that have received suspect class protection.

In preparing to write this report and to testify in this matter, I reviewed the materials listed in Exhibit B. I may rely on those documents, in addition to the documents specifically cited as supportive examples in particular sections of this report, as additional support of my opinions. I have also relied on my years of experience in the field of political science, as set out in my curriculum vitae, and on the materials listed therein.

In connection with my anticipated testimony in this action, I may use portions of this report or the references cited herein as exhibits. In addition, I may use various documents produced in this case that refer or relate to the matters discussed in this report. I may also create, or assist in the creation of, demonstrative exhibits or summaries of my findings and opinions to assist me in testifying.

I may testify as an expert regarding additional matters, including (i) by rebutting positions that the Defendants or Defendant-Intervenors take, including opinions of their experts and materials they discuss or rely upon; (ii) issues that arise from any forthcoming Orders from Chief Judge Walker; (iii) issues that arise from documents or other discovery that Defendants or Defendant-Intervenors or other entities have not yet produced, or that were produced too late to be fully considered before my report was due; or (iv) to respond to witness testimony that has not yet been given.

I reserve the right to supplement or amend this report based on (i) any Orders that the Chief Judge Walker hands down; (ii) documents or other discovery that the Defendants or Defendant-Intervenors or other entities have not yet produced; or (iii) witness testimony that has not yet been given.

### **III. Political Powerlessness in General**

Any evaluation of the political power of a particular group in the United States takes place in the context of a general understanding of the role that groups play in American politics. From Madison forward, American democracy has been predominantly understood as a pluralist system, in which competition among groups ideally should ensure that no one interest becomes permanently dominant or holds sway over a large number of decisions over a long time. Madison believed that, in an "extended" republic, coalitions commanding the day or one issue would dissolve and be replaced by a different majority coalition on the next issue.

Modern political scientists generally approach pluralism through the concept of group interests. The action of one group raises challenges to the interests of another, causing it to

react, and preventing a single interest from dominating the political process. However, not all groups have an equal opportunity to form and act successfully to stave off threats to their interests. Differences in group size, resources, and position in the class structure mean that some groups are inherently better positioned to act on their behalf than others, and some groups suffer a permanent disadvantage that places them at the mercy of others. The existence of societal prejudice against a particular group imposes an additional systematic burden, because it tends to prevent that group's interests or policy preferences from receiving due consideration by other actors in the political process, or causes that consideration to be sacrificed to political expediency. Relative to minority groups that are otherwise similarly situated, a group that suffers such prejudice does not receive an equivalent hearing in political contestation and debate. Constitutions (and courts, through judicial review) play a role in the pluralist system in protecting disadvantaged minorities from majoritarian excesses and from effective exclusion from the political process.

Political power refers to a demonstrated ability to extract favorable (or prevent unfavorable) policy outcomes from the political system. In a well-established and commonly cited definition, Robert Dahl wrote that A has power over B when A is able to compel B to do something that B otherwise would not do. Thus, simple meetings of the mind are insufficient to demonstrate the exercise of power. One does not have power over those who, for other reasons, already agree. For example, in the last national election, millions voted for the same candidate I did, but this is not evidence of my electoral influence.

Groups that lack political power may on occasion receive rights or benefits that they cannot compel through the political process as a result of "affinity" or sympathy from legislators in a position to bestow them. These outcomes are not the result of an exercise of political power by the minority group, and, hence, are significantly more vulnerable to reversal than those achieved through political victories. The affinity or sympathy that gave rise to them could dissipate or flatten, and is likely to be abandoned in the face of subsequent opposition. To demonstrate that power had been at work, one would need to observe successful instances of opinion change on the part of the legislator in the face of positive or negative sanction or, alternatively, electoral change precipitated by the ire of the dissatisfied constituency.

Traditional markers of political powerlessness include systematic disadvantages in the political process; the existence of significant prejudice, stigmatization, or a de facto or de jure second-class status; or an inability, alone or in concert with reliable coalition partners, to secure basic rights or equal treatment from and within the political process.

#### **IV. Political Powerlessness of Gays and Lesbians**

##### **A. Manifestations of Political Powerlessness**

Although an exhaustive catalog is impossible, the lack of meaningful political power possessed by gays and lesbians is reflected in numerous features of the nation's laws, institutions, and political history that are adverse to policy outcomes favored by and

important to gays and lesbians. Some examples are discussed below. The political powerlessness of gays and lesbians is evidenced by their inability to bring an end to pervasive prejudice and discrimination, and to secure desired policy outcomes and prevent undesirable outcomes on fundamental matters that closely and directly impact their lives. Furthermore, the demonstrated vulnerability of occasional and geographically confined policy gains to reversal or repeal is indicative of a role played by “affinity” or sympathy, rather than the exercise of meaningful political power by gays and lesbians.

### **Absence of Statutory Protection/Presence of de jure Statutory Inequality**

To date, there is no national level legislation prohibiting discrimination in employment, education, access to public accommodations, or housing. The Employment Non-Discrimination Act, which would extend employment protections on the basis of sexual orientation (and in some versions, gender identity) has been introduced regularly since 1994 (and earlier versions as far back as the 1970s) and has never passed both houses of Congress. It has failed to win passage in both Republican and Democratic controlled Congresses. Moreover, Congress adopted the “Defense of Marriage Act” that, among other things, prevented even legally married same-sex couples from filing joint tax returns, inheriting social security benefits, and obtaining most of the other rights afforded to married individuals by federal law. This preclusion of rights acquisition was signed into law by a Democratic president.

Other federal legislation contrary to the policy preferences of the lesbian and gay community includes the statutory enactment of “Don’t Ask, Don’t Tell,” under which lesbians and gay men must conceal their sexual orientation in order to serve in the military, and are investigated if suspected to be gay and discharged if they admit or are found to be gay. Despite a documented record of violence against gays and lesbians in contemporary society, attempts to extend existing federal hate crimes to include violent crimes based on the perceived sexual orientation of the victim have similarly not been successful to date, apart from the sentencing guidelines factor in the extremely narrow case of victims engaged in “federally protected” actions, established in 1994.

### **Repeal or Pre-Emption of Legislative or Judicial Protections Through Ballot Initiatives**

Evidence from the past two decades in particular has demonstrated that gays and lesbians are especially vulnerable in the context of direct democracy. Initiatives and referenda have frequently and effectively been used to reverse or pre-empt the legislative grant at the state or local level of policies benefitting or protecting gays and lesbians. These ballot initiatives can be broken into three groups:

*Overturning anti-discrimination policies*—The first wave of ballot actions on gay and lesbian rights began in the early seventies but only reached its peak in the 1990s. The most common form were citizen initiatives to overturn municipal, county, or state extensions of anti-discrimination policies to sexual orientation. They were generally successful. Legislative enactments were overturned in cities and counties across the country, including



Santa Clara County and the City of San Jose, CA, Tacoma, WA, Lewiston, ME, Lansing, MI, St. Paul, MN, Wichita, KS, and perhaps most famously, Miami-Dade County, FL. A very small number of pro-gay votes also occurred and, not surprisingly, did not fair as well, including the defeat of a voter attempt to compel the Davis, CA, City Council to enact a gay rights ordinance. Haider-Markel and colleagues (2007) identify 143 votes from the 1970s until 2005, and found that gay and lesbian rights were defeated or overturned in more than 70% of the cases—with the opponents of those rights prevailing at about the same rate for local and state elections. The frequency of electoral and policy conflict over non-discrimination statutes declined once the focus of the struggle increasingly centered on preventing legal recognition of same-sex couples. It is worth noting that many anti-gay measures amended city charters or state constitutions to raise the burden on gays and lesbians and their supporters for accomplishing policy change. The general form was to prohibit legislative action preemptively, and require that any change be through popular vote (with all of the disadvantages this implies).

*Anti-marriage initiatives*—To date, gay and lesbian marriage rights have been voted on at the state level 33 times. In only one instance did the pro-gay position win, when Arizona's proposition 107 failed in 2006, only to be passed in slightly modified form in 2008. (A second proposition failed in Colorado, but that state had two provisions on the same ballot, with the more expansive of the two failing, while the more restrictive passed.)

*Adoption prohibitions*—A recent development is the passage of Arkansas' Act One, prohibiting adoption by unmarried cohabitating couples, an act conceived with regard to—and targeted at—same-sex couples. It is possible, I think likely, that these initiatives will appear elsewhere on the ballot. In the 2008 American National Election Study, 47.6% of respondents nationwide felt that gays and lesbians should be prohibited from adopting. Since that percentage varies widely across states, I and others expect anti-adoption initiatives to start appearing in states where the level of opposition exceeds 50%.

Beyond the obstacles gays and lesbians face in the traditional legislative process, ballot initiatives further disadvantage them politically and have undone many of the legislative benefits they have received. These initiatives also make it less likely that legislatures will enact pro-gay policies in the first place (Lax and Phillips 2009), because elected officials will fear having actions overturned by angry constituents. Moreover, gay and lesbian activists' fear that the post-initiative policy reality will be worse than the status quo forces them to consider whether not seeking legislative policy change is in the best interests of the group.

Ballot initiative campaigns are frequently polarizing, are built on enormous sums of money, and are waged primarily in the non-deliberative media of mass advertising. Small minorities are even less able to protect their interests in these kinds of contests than they are in the legislative process, which—as a result of legislative districts, institutional rules, coalitional politics, and other factors—tends to give smaller minorities greater opportunity to prevent undesirable outcomes.

Although the use of the initiative process against gay and lesbian policy goals is a comparatively recent phenomenon, in the past, ballot initiatives were used to undo legislative gains by immigrants, non-English speakers, African Americans, and minorities generally, including overturning fair housing statutes, affirmative action programs, bilingual education, and establishing English as an official language. Historians of the turn-of-the-century progressive movement, when these processes were established and written into the laws of the western states, note the association of progressive reforms with anti-immigrant sentiment. Indeed, the progressive movement created the initiative process in order to allow the majority to overturn decisions made by legislatures, which allow a greater role for bargaining and coalitional politics. The initiative process has now been used specifically against gays and lesbians more than against any other social group.

### **Underrepresentation in Political Office**

Gay elected officials have risen to various offices around the country. Those representatives may strive to advocate for gay and lesbian rights, but their numbers and legislative impact of those successes continue to demonstrate significant underrepresentation and reliance on friendly representatives, over whom they hold no direct power. For example, 79 state legislators nationwide are openly gay, but the total number of state legislators nationwide is 7382, so those 79 legislators represent only 1% of the total. Under even the most conservative estimates of gay and lesbian population share, this number indicates that gays and lesbians are substantially under-represented. All of these state legislators were elected in the last two decades.

There have been only six openly gay members of Congress in history, and only three—considerably less than one percent of all members—serve today (.7% of the House, .56% of the entire Congress). Four of those six were initially elected to the House with their sexual orientation not public. Only two members were first elected to the House without the benefits of incumbency and with widespread public familiarity with their sexual orientation, Jared Polis (D-CO) and Tammy Baldwin (D-WI). Both represent districts that are home to the flagship campus of their state universities—districts that are typically more tolerant than others in the state. Gay and lesbian politicians are largely confined to a single political party. Homosexual Republicans face an extremely difficult time, and the few GOP gay elected officials who have emerged seldom last, either through primary challenges or retirement in the face of pressure. There has never been an openly gay US Senator, Cabinet level appointee, or Justice of the United States Supreme Court.

The percentages at the local level are lower still. The Gay and Lesbian Leadership Institute identifies 288 local elected gay or lesbian political officials serving on city councils, county commissions, school boards, and other local offices, which is an insignificant fraction of the total. Over a decade ago, the Census Bureau reported that the number of elected officials nationwide was slightly over 511,000. Subtracting members of Congress and state legislatures, about whom I just reported, that leaves somewhat over 500,000 city, county, school, and local board officials, and only 288 (or .05%) are identified as openly gay. These are concentrated in coastal states at both ends of the country, and in Illinois. Some states have no openly gay elected officials at all, and many more have just a very small handful.



## **B. Factors Contributing to Political Powerlessness**

Numerous factors, often working in combination or in mutually reinforcing ways, contribute to the political powerlessness of gays and lesbians. Furthermore, many of these factors—including public and political hostility, prejudice, censorship, and religious and moral condemnation—impose a political disability on gays and lesbians not suffered by groups of comparable size and geographic dispersion. I begin in this section with demographic considerations and then discuss other, relational factors pointing to a degree of powerlessness that today is unique to gays and lesbians.

**Small Population Size and Geographic Dispersion:** The simplest way to secure political representation and exercise some degree of influence over the political process is through numerical strength. The population strength of gays and lesbians is not close to being sufficient to obtain electoral control of a single jurisdiction, let alone change the composition of the legislature or Congress. There are no congressional districts with a majority population of gay and lesbian Americans. There are no municipalities of any size with a majority gay and lesbian population. Even in broadly identified gay-friendly communities, often places where chain migration has significantly increased the gay population above the national average, gays and lesbians fail to reach majority status. A fair estimation of population suggests that gays have sufficient numbers to determine (or substantially influence) the outcome of only a few city council or county board seats, or state legislative districts, nation-wide. At any level of aggregation above the precinct or neighborhood, there is no place with a gay majority.

**HIV:** The AIDS epidemic has set back the gay community's potential for political action, in ways that are both obvious and not obvious. Through 2005, the Centers for Disease Control report that just over 300,000 MSMs (CDC term for men who have sex with men) had died of HIV/AIDS. Another 217,000 were living with AIDS. The loss of 300,000 voters, organizers, and potential leaders is a profound setback to a community whose population starts as a fairly small share of the society. Harder to calculate are the monetary costs. Gay men raise substantial amounts of money for HIV-related research and social services, diverting resources that could be used to fight discrimination. Further, gay net wealth is negatively impacted by the loss of income on the part of those who have died, and the partial loss of income and expenditures on healthcare from those still living with the disease. Some political observers suggest that a decade or more of gay activism was lost to the cause of gay equality as gay men and lesbians turned their attention to the more immediate threat of the epidemic. While gay men and lesbians do not have the resources to be politically powerful, they have been further disadvantaged by the fact that HIV destroyed such a large segment of the community and consumed such a large portion of its resources. In addition to the direct resource and political costs, AIDS offered heterosexuals a new reason to stigmatize homosexuals and homosexual relations, and to resist political change that respected gay equality.

**Violence:** A crime can be classified as a hate crime when the victim is targeted because of his or her identity, generally race, ethnicity, religious identity, gender, sexual orientation or disability status. Hate crimes are unique in that the effects of the crime are understood—

indeed intended—to reach beyond the person of the actual victim. The crime is best understood as an expression of animus toward an entire group and, moreover, is an attempt to intimidate that group or otherwise constrain their future behavior. For example, racially motivated hate crimes against individual target-group-members can simultaneously express racial prejudice toward an entire group as well as intimidate other group members from patronizing businesses, moving to neighborhoods, enrolling in schools, or otherwise exercising their personal liberties.

Though there are still no federal hate crimes protections for gays and lesbians, the FBI does collect data on hate crimes committed on the basis of perceived sexual orientation, at least from jurisdictions that have chosen to report them, and the numbers are substantial. In the last year for which statistics have been published, 2007, the total number of incidents was 7624, and 1265 (16.6%) of those were on the basis of sexual orientation. Incidents range from simple assault to murder. In terms of single groups, only African Americans endured more incidents, and since they are as much as twice the population share as gays and lesbians, the likelihood that any given gay or lesbian citizen experiences an attack (that is, the per capita number of attacks) is considerably higher. The Southern Poverty Law Center reports that gays and lesbians are the Americans most likely to be targeted in a hate crime.

The SPLC also suggests that steps forward in the cause of gay and lesbian equality seem to be associated with a subsequent surge in anti-gay violence, pointing to data gathered immediately in the wake of the *Lawrence* decision. The intimidation effect of hate crimes serves to undermine the mobilization of gays and lesbians and their allies and to limit their free exercise of simple economic and social liberties.

Things do not appear to be getting better. Recent years show no discernible decline in bias crimes against gays and lesbians. FBI statistics reporting the number of hate crimes against specific groups shows that anti-gay acts were as frequent in 2007 as they were in 2003.

**Invisibility:** An aspect of gay and lesbian identity that distinguishes them from other minority groups—to their political disadvantage—is their relative invisibility. The scholarship on passing and self-identification suggests that members of repressed or targeted groups who have the ability to pass unobserved in the majority population may choose to do so if the costs of self-identification, in the form of family disapproval, physical threat, discrimination and its consequences, can be avoided. While this strategy avoids some risks of identification, passing itself has a personal and a political cost.

The unwillingness to identify has several important implications for the question of whether gays and lesbians can meaningfully or effectively act on their own behalf politically:

1. While not a panacea, social contact with gays and lesbians is generally associated with more sympathetic policy preferences. Invisibility undermines community support.

2. With regard to the size of the gay population, the number of gays and lesbians perceived by the general public, including those holding views hostile to gay and lesbian equality, is artificially low.
3. Mobilization levels among gays and lesbians will be lower than other groups but erroneously perceived to be higher. Mobilization can reasonably be understood to be an act of self-identification, so those choosing to pass have foreclosed visible political action.
4. Since not all gays and lesbians come out, the percentage of the gay and lesbian population that is mobilized seems higher than it really is. Likewise, since those gay and lesbian citizens who choose to self identify are those whose economic and social position in society is more secure—making the act of coming out less risk inducing—the resulting self-selection bias results in a misperception of gays and lesbians as better educated, of higher income, and otherwise “privileged.” Statistically, gays and lesbians are no better educated and do not have higher levels of income.
5. Efforts on the part of gays and lesbians—incorrectly perceived as less numerous and more privileged than they actually are—to gain statutory protection is characterized as both unjustified and transgressive. This misperception works both to mobilize opponents and to encourage complacency by potential allies.
6. Potential heterosexual allies may fear being misidentified as gay or lesbian, reducing the chance that they will mobilize on behalf of gays and lesbians. The FBI estimates that 2% of hate-crimes committed on the basis of sexual orientation victimize misidentified heterosexuals.
7. Invisibility exacerbates the problem of geographic and social dispersion, making it more difficult for gays and lesbians to find each other and mobilize politically.

**Censorship:** In a variety of ways, gays and lesbians are pressured to remain invisible, and in several contexts discussion of gay people and their relationships is prohibited or regulated. Examples include the military’s “Don’t Ask, Don’t Tell” policy; legislation that prevented the National Endowment of the Arts from funding any art depicting homoeroticism; rules that have prohibited federally funded AIDS education materials from promoting homosexuality and requiring them to advocate for abstinence from extramarital sex, including homosexual sex; and efforts in several states to forbid the mention of homosexuality in school health classes, or mandate the association of the term with descriptors suggesting that it is not acceptable. Even in the face of the HIV epidemic, Arizona, for example, prohibits any mention that homosexual acts could be made “safe.”

**Public Hostility and Prejudice:** Gay men and lesbians face severe hostility from non-gay citizens in many parts of the country, and opinion data suggest that they are held in considerably lower regard than many groups currently receiving the protection of heightened scrutiny. In each national election year, the American National Election Study (available at [electionstudies.org](http://electionstudies.org) or the ICPSR website) asks a representative sample of American citizens to gauge their “warmness” toward a particular group. Political scientists call the instrument a “feeling thermometer” and the scale of each ranges from 0 to 100, with 100 indicating strong warmness/fondness/positive views. For Hispanics, approximately 40% of respondents rated their warmness at 50 (midpoint) or less, and the

average temperature was 65.2 (std.dev.21.0). For African Americans, only 33% of respondents were at or below 50, and the mean temperature was 68.76 (std.dev. 20.2). For Catholics, 37% were at or below the mid-point and the mean was 67.3 (std.dev 19.9), and for Jews, 43.9% of respondents were at or below the mid-point and the mean warmth was 65.0 (std.dev.19.3). What is revealing about these summary numbers is their similarity. They do vary, of course, but the percentage below the mid-point all group between 33 and 43.9%, the means all group between 65 and 69 degrees and the standard deviations are between 19 and 20. Standard deviation is a statistical score that calculates how spread apart the responses are around the mean.

By contrast, gays and lesbians fare far worse. Fully 65.4% of respondents rated gays at or below the mid-point of 50 and the mean response was 49.4 (std.dev 27.7). Almost two thirds of the respondents rate gays and lesbians at or below the mid-point, which is almost twice that for African Americans and substantially higher than for the other groups. The mean sentiment towards gays and lesbians is 16 points lower than for Jews and Hispanics and 19 points lower than African Americans. The standard deviation is also instructive, since its size (almost half again larger than for the other groups) illustrates the level of polarization in sentiment about homosexuals. By any estimation, the public is less fond of gay and lesbian Americans than racial and ethnic minorities and religious groups. In fact, the other groups with comparable levels of coolness include Muslims after 9/11 (mean=50.3), atheists (mean=41), and illegal aliens (mean=39.3). It is revealing that 13.4% of respondents gave gays and lesbians a score of zero, a percentage exceeded only by scores for illegal immigrants (15.4%) and atheists (18.6%).

**Political and Social Hostility:** Gays and lesbians face outspoken denunciation by elected officials in a manner that would be unthinkable if directed toward almost any other social group. Hostility by public officials is often directly mirrored in the population. Furthermore, its public nature, even when articulated by only a small segment of office-holders and officials, serves as a signal to the broader population that these discriminatory attitudes are “acceptable” or reasonable within the bounds of mainstream political discourse.

Political condemnations of gays and lesbians are not electorally costly, and may even be used to gain electoral support. It would be difficult to identify cases where an elected official was so damaged by holding anti-gay positions that he or she lost public office on this basis. In part, this is a consequence of the partisan and geographic distribution of views and the nature of our legislative representation regime, but in part this is also a reflection of the fact that pro-gay policies are a very low priority even among “allies” in the population who hold generally positive views. Public contempt extends beyond elected officials to prominent national religious leaders, who command the attention of political leaders as well as significant numbers of the electorate.

**Unreliable Allies:** The structure of the American party system is such that the path to pro-homosexual policy change lies exclusively through the good offices of one party. The increasing power of evangelical Christians in the GOP has shifted this party’s social policy further to the right and all but eliminated its once sizable tradition of libertarianism. The



Republican Party in office (and platform) is openly hostile to gay and lesbian rights. Although the Democratic Party is more supportive in its rhetoric, Democrats have repeatedly shrunk from any extension of rights to gays and lesbians at the federal level. Democrats controlled the White House from 1993 to 2001 and the Congress until 1994 and since 2006. Nevertheless, hate crimes protections, non-discrimination statutes, equality in military service, and federal recognition of state-sanctioned same-sex marriages remain undelivered. In fact, Don't Ask/Don't Tell was passed in a Democratically controlled Congress, and both it and the federal Defense of Marriage Act were signed into law by a Democratic president.

**Moral and Political Condemnation:** While the pluralist framework envisions shifting majorities and rotation in office, Old Testament prohibitions of homosexuality serve to create, in many of America's religious communities, a permanent majority that believes homosexual conduct is sinful and immoral and that it should be condemned and discouraged. The General Social Survey (downloadable from the National Opinion Research Center) regularly asks a representative sample of Americans to evaluate whether homosexual relations are "wrong." In 2008, those data show that 51.5% of Americans still report that sex between two persons of the same sex is "always wrong" while another 10.3% agree that it is "sometimes" or "almost always" wrong. Moreover, the shift in the direction of tolerance is neither large nor rapid. A decade ago, a module from the same survey shows the comparable numbers as 56% and 11.8% respectively.

**Powerful, Numerous, and Well-Funded Opposition:** The moral condemnation of homosexual acts fuels and supports political opposition to protections and benefits for gays and lesbians. Campbell and Robinson (2007) found that opposition to same-sex marriages united leadership and core believers across religious traditions. Similarly, the San Francisco Chronicle reported that the campaign in favor of Proposition 8 was conceived and funded by a cooperative effort of the Roman Catholic Archbishop of San Francisco and the senior leadership of the Mormon Church. Churches provide a well-funded, widely spread, untaxed medium in which individuals opposed to gay and lesbian policy goals can disseminate political messages and campaign materials, as well as engage in fundraising. Moreover, national religious movements like Focus on the Family, the Traditional Values Coalition, the Family Research Council, and other groups provide a national network for pressuring elected officials, fundraising, message testing, media dissemination and publication, mobilization and coordination across states and jurisdictions. This nationwide co-ordination, for example, explains how 14 statewide initiatives appeared in a single year, 2004. Cahill (2007) documents the vast economic resources of these organizations and their willingness to provide them to political efforts to prevent or reverse rights, benefits, or protections for gays and lesbians. Gays and lesbians lack the resources, numbers, and reach to counter this kind of committed, organized opposition to their interests.

## V. Comparative Political Powerlessness

Although implicit the above, it would be hard to identify any group today that suffers from the same degree of political vulnerability and powerlessness as gays and lesbians. Even groups that have obtained the protection of heightened scrutiny from the Supreme Court

possessed greater political power at the time those decisions were handed down than gays and lesbians do today.

**Gender:** When the U.S. Supreme Court held that women were a quasi-suspect class in 1970s, they were in a far superior political position compared to that held by lesbians and gays today. Women are and were a majority of the population and, if they so choose, could theoretically determine most political outcomes. While women do not have the same level of political cohesion as many other groups, so that in many cases their majority status has not proved decisive, the magnitude of their numbers is a source of potential power that politicians cannot ignore. And in fact, women had achieved important victories in the political process, including coverage in the 1964 Civil Rights Act and its subsequent amendments, and specific statutory and constitutional protection in several states.

Women have a number of other characteristics that enhanced their ability to organize and act politically when compared with gays and lesbians. While sexism certainly existed (and still exists), and political activism could be costly, identity as a woman was not socially controversial, did not attract familial scorn, and did not bar one from such a large range of social institutions, though some institutions were exclusively male. Women could freely identify one another, gather, coordinate, and act largely free of fear of repressive tactics. Both political parties sought the support of women.

**Race:** Immediately in the wake of the Civil War, three amendments to the federal constitution established de jure legal equality for African Americans and officially barred states from violating equal protection. Though this guarantee of equality had seldom been meaningfully endorsed, it was nonetheless a de jure status superior to that now held by lesbians and gays. As early as 1941, President Roosevelt issued Executive Order 8803 prohibiting race discrimination in contracting and employment in companies doing business with the US. Through court action and the social movement of the 1950s and 1960s, African Americans (and later Latinos) achieved a rollback of Jim Crow segregation laws and established a statutory regime of equality in employment, education and housing. Again, this was more promise than practice, but it was a statutory circumstance superior to that of lesbians and gays today.

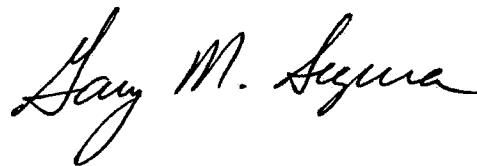
In the 1940s and 1950s, African Americans and other racial and ethnic minorities had similar disadvantages to gays in terms of resources and social sanction, but with far greater numbers (and in some instances majorities), they have been able to claim a meaningful share of political representation and policy responsiveness. Even before the passage of the Civil Rights Act of 1964 and Voting Rights Act of 1965, there were 5 black members of Congress and over 100 elected officials nationwide.

Today, 69 people of color serve in the House of Representatives, and two in the United States Senate (four at the start of this Congress). African Americans, Latinos, and Asian Americans have been elected governors and big city mayors. They form outright majorities in dozens of jurisdictions and approximately 65 House districts. Rather than serve as an impediment, most (though admittedly not all) religious institutions express support for the



principle of racial equality and the church in minority communities, rather than serving as an impediment to political progress, is a locus for identification and mobilization.

Dated: October 2, 2009

A handwritten signature in black ink, reading "Gary M. Segura". The signature is written in a cursive, flowing style with a large initial 'G'.

Gary M. Segura

# ***EXHIBIT A***

Curriculum Vitae  
Gary Michael Segura

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Department of Political Science, Stanford University  
100 Encina Hall West  
Stanford, CA 94305-6044  
650-723-3583  
E-mail: [segura@stanford.edu](mailto:segura@stanford.edu)

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EDUCATIONAL AND PROFESSIONAL HISTORY

9/1/09

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**Education:**

- |                          |   |
|--------------------------|---|
| 1985-1986 &<br>1988-1992 | University of Illinois at Urbana-Champaign<br>Ph.D., Department of Political Science, 1992.<br>A.M., Department of Political Science, 1989. |
| 1981-1985                | Loyola University of the South, New Orleans, LA<br>B.A., Magna Cum Laude, Presidential Scholar<br>Department of Political Science, 1985.    |

**Academic Experience:**

- |              |  |
|--------------|--|
| 2008-present | Professor, Department of Political Science, and<br>Chair of Chicana/o Studies, Center for Comparative Studies in Race and<br>Ethnicity, Stanford University                              |
| 2007-2008    | Professor, Department of Political Science, and since 2006, Director,<br>University of Washington Institute for the Study of Ethnicity, Race and<br>Sexuality, University of Washington. |
| 2005-2007    | Associate Professor, Department of Political Science,<br>University of Washington.   |
| 2001-2005    | Associate Professor, Department of Political Science,<br>University of Iowa.   |
| 1999-2001    | Associate Professor, School Politics and Economics,<br>Claremont Graduate University.  |
| 1996-1999    | Assistant Professor, School Politics and Economics,<br>Claremont Graduate University.  |
| 1992-1996    | Assistant Professor, Department of Political Science,<br>University of California, Davis.  |
| 1991-1992    | Acting Assistant Professor, Department of Political Science,<br>University of California, Davis.   |
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SCHOLARSHIP

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**Publications***Books:*

*Making It Home: Latino Lives in America.* With Luis Fraga, John Garcia, Rodney Hero, Michael Jones-Correa and Valerie Martinez-Ebers. Forthcoming, Temple University Press.

*Diversity In Democracy: Minority Representation in the United States.* 2005. Charlottesville: University of Virginia Press. Edited with Shaun Bowler.

*Refereed Articles:*

“Assimilation, Incorporation, and Ethnic Identity in Understanding Latino Electoral and Non-Electoral Political Participation.” Forthcoming. *Political Research Quarterly*. With Wayne Santoro.

“Should They ‘Dance with the One Who Brung ‘Em?’ Latinos and the 2008 Presidential Election.” 2008. *PS: Political Science and Politics*, 41 (4):753-760. With Matt A. Barreto, Luis R. Fraga, Sylvia Manzano, and Valerie Martinez-Ebers.

“Race and the Recall: Racial Polarization in the California Recall Election.” 2008. With Luis R. Fraga. *American Journal of Political Science* 52 (2): 421-435.

“Commentary on ‘Citizens by Choice Voters by Necessity: Long Term Patterns in Political Mobilization by Naturalized Latino Voters’.” With Adrian D. Pantoja and Ricardo Ramirez. 2008. *Political Research Quarterly*, 61 (1): 50-52

“All Politics are Still Local: the Iraq War and the 2006 Midterm Election.” 2008. With Scott S. Gartner. *PS: Political Science and Politics*, 41(1): 95-100.

“What Goes Around, Comes Around: Race, Blowback, and the Louisiana Elections of 2002 and 2003.” 2006. With Christina Bejarano, graduate student. *Political Research Quarterly*, 60(2): 328-337.

“Su Casa Es Nuestra Casa: Latino Politics Research and the Development of American Political Science.” *American Political Science Review*, 100(4): 515-522. 2006. With Luis Fraga, John Garcia, Rodney Hero, Michael Jones-Correa and Valerie Martinez-Ebers.

“Comparative Ethnic Politics in the United States: Beyond Black and White.” *Annual Review of Political Science*, 9: 375-395. 2006. With Helena Alves Rodrigues.

“Immigration and National Identity: An Introduction to a Symposium on Immigration and National Identity.” *Perspectives on Politics*, 4(2): 277-278. 2006.

- "Culture Clash? Contesting Notions of American Identity and the Effects of Latin American Immigration." *Perspectives on Politics*, 4(2): 279-287. 2006. With Luis Fraga.
- "Explaining the Latino Vote: Issue Voting among Latinos in the 2000 Presidential Election." *Political Research Quarterly*, 59(2): 259-271. 2006. With Stephen P. Nicholson and Adrian D. Pantoja.
- "Earthquakes and Aftershocks: Tracking Partisan Identification amid California's Changing Political Environment." *American Journal of Political Science*, 50(1): 146-159. 2006. With Stephen P. Nicholson and Shaun Bowler.
- "A Symposium on the Politics of Same-Sex Marriage: An Introduction and Commentary." *PS: Political Science and Politics*, 38 (2). April 2005. Served as Symposium Editor.
- "Racial/Ethnic Group Attitudes Toward Environmental Protection in California: Is 'Environmentalism' Still a White Phenomenon?" *Political Research Quarterly* 58(3):435-448. 2005. With Matthew Whittaker (graduate student) and Shaun Bowler.
- "War and the Fate of Legislators: War Casualties, Policy Positions, and U.S. Senate Elections During Vietnam." *Political Research Quarterly*, 53 (3):467-477. 2004. With Scott S. Gartner and Bethany A. Barratt.
- "The Mobilizing Effect of Majority-Minority Districts on Latino Turnout." *American Political Science Review*, 98(1): 65-76. 2004. With Matt Barreto and Nathan D. Woods.
- "Fear and Loathing in California: Contextual Threat and Political Sophistication Among Latino Voters." *Political Behavior*, 25 (3): 265-286. 2003. With Adrian D. Pantoja.
- "Does Ethnicity Matter? Descriptive Representation in the Statehouse and Political Alienation Among Latinos." *Social Science Quarterly*, 84(2): 441-460. 2003. With Adrian D. Pantoja.
- "The Paradox of Presidential Approval: The Mixed Blessing of Divided Government to Presidential Popularity." *Journal of Politics*, 64 (3): 701-720. 2002. With Stephen P. Nicholson and Nathan D. Woods, graduate student.
- "Citizens by Choice, Voters by Necessity: Patterns in Political Mobilization by Naturalized Latinos." *Political Research Quarterly*, 54 (4): 729-750. 2001. With Adrian D. Pantoja and Ricardo Ramirez.
- "Race, Casualties and Opinion in the Vietnam War." *Journal of Politics*, 62 (1): 115-146. 2000. With Scott S. Gartner.
- "Midterm Elections and Divided Government: An Information-Driven Theory of Electoral Volatility." *Political Research Quarterly*, 52 (3): 609-630. 1999. With Stephen P. Nicholson.
- "War, Casualties, and Public Opinion." *Journal of Conflict Resolution*, 42: 278-300, 1998. With Scott S. Gartner.

“Dynamics of Latino Partisanship in California: Immigration, Issue Salience, and Their Implications.” *Harvard Journal of Hispanic Politics*, 10: 62-80, 1997. With Dennis Falcon, graduate student, and Harry Pachon.

“All Politics are Local: The Effects of Local Losses on Individual Attitudes Towards War.” *Journal of Conflict Resolution*, 41: 669-694, 1997. With Scott S. Gartner and Michael Wilkening, graduate student.

“Appearances Can Be Deceptive: Self-Selection, Social Group Identification, and Political Mobilization.” *Rationality and Society*, 9 (2): 131-161, 1997. With Scott S. Gartner.

“Cross National Variation in Political Sophistication of Individuals: Capability or Choice?” *Journal of Politics*, 59 (1): 126-147, 1997. With Stacy B. Gordon, graduate student.

“Sequential Choices and Partisan Transitions in U.S. Senate Delegations: 1972-1988.” *Journal of Politics*, 57(1):86-100, 1995. With Stephen P. Nicholson, graduate student.

“Endogeneity, Exogeneity, Time, and Space in Political Representation.” *Legislative Studies Quarterly*, 20(1): 3-22, 1995. With James H. Kuklinski.

*Book Chapters and Invited Articles:*

“The Efficacy and Alienation of Juan Q. Public: The Immigration Marches and Orientations Toward American Political Institutions.” Forthcoming in Bloemraad, Irene and Kim Voss, (eds.), *Rallying for Immigrant Rights*. Berkeley: University of California Press. With Francisco Pedraza and Shaun Bowler.

“The Immigration Aftermath: Latinos, Latino Immigrants, and American National Identity.” Forthcoming in David Coates and Peter Siavelis (eds), *Getting Immigration Right: What Every American Needs to Know*. 2009. Dulles VA: Potomac Books. With Luis R. Fraga.

“Hearing Footsteps: Latino Population Growth and Anticipated—but not Quite Present—Political Effects in Emerging Communities.” In de la Garza, Rodolfo O., Louis DeSipio, and David L. Leal (eds.). *Beyond the Barrio: Latinos in the 2004 Elections*. 2008. South Bend, IN: University of Notre Dame Press. With Christina Bejarano.

“An Evaluation of the Electoral and Behavioral Impacts of Majority-Minority Districts.” In Levi, Margaret, Jack Knight, James Johnson, and Susan Stokes, eds. *Designing Democratic Government*. 2008. New York: Russell Sage Foundation. With David I. Lublin.

“Majority-Minority Districts, Co-ethnic Candidates, and Mobilization Effects.” In Henderson, Ana, *Voting Rights Act Reauthorization of 2006: Perspectives on Democracy, Participation, and Power*. 2007. Berkeley: Institute for Governmental Studies Public Policy Press. With Nathan D. Woods.

“A Place at the Lunch Counter: Latinos, African-Americans, and the Dynamics of American Race Politics.” In Meier, Kenneth, Rodolfo Espino, and David Leal, eds., *Latino Politics: Identity, Mobilization, and Representation*. 2007. Charlottesville: University of Virginia Press. With Helena A. Rodrigues.



"Latino Political Participation." With Helena A. Rodrigues. For the *Encyclopedia of Latinos and Latinas in the United States*, Oxford University Press. 2005.

"Social, Political and Institutional Context and the Representation of Minority Americans." In Segura, Gary M. and Shaun Bowler, eds. *Diversity In Democracy: Minority Representation in the United States*. 2005. Charlottesville: University of Virginia Press. With Shaun Bowler.

"Agenda Change and the Politics of Latino Partisan Identification." In Segura, Gary M. and Shaun Bowler, eds. *Diversity In Democracy: Minority Representation in the United States*. 2005. Charlottesville: University of Virginia Press. With Stephen P. Nicholson.

"Unquestioned Influence: Latinos and the 2000 Election in California." In Rodolfo de la Garza and Louis Desipio, eds., *Muted Voices: Latino Politics in the 2000 Election*, New York: Rowman and Littlefield. 2004. With Luis Fraga and Ricardo Ramirez.

"Targets of Opportunity: California's Blanket Primary and the Political Representation of Latinos." In Cain, Bruce E. and Elisabeth R. Gerber, eds., *Voting at the Political Fault Line: California's Experiment with the Blanket Primary*, 248-269. 2002. Berkeley: University of California Press. With Nathan D. Woods, graduate student.

"Hispanics, Social Capital and Civic Engagement." *National Civic Review* 90 (1): 85-96. 2001. With Harry Pachon and Nathan D. Woods, graduate student.

"Institutions Matter: Local Electoral Laws, Gay and Lesbian Representation, and Coalition Building Across Minority Communities." In Ellen Riggle and Barry Tadlock, eds., *Gays and Lesbians in the Democratic Process*, 220-241. 1999. New York: Columbia University Press

*Book Review:*

Review. *Who Are We?* By Samuel Huntington. *Perspectives on Politics*, 3(3): 640-642.

Review. *Congress and the Rent Seeking Society*, by Glenn Parker, *Journal of Politics*, 59: 591-593, 1997.

*Other Publications:*

"An Update on the Status of Latinos y Latinas in Political Science: What the Profession Should be Doing." *PS: Political Science and Politics*, XXXIII (4): 899-903, December, 2000. With Valerie Martinez-Ebers, Manuel Avalos, Carol Hardy-Fanta, Linda Lopez, and Ronald Schmidt, Sr.

*Under Contract:*

*The New Politics of Non-White America*. Congressional Quarterly Press. With Shaun Bowler. Anticipated Publication 6/10

*Under Review:*

“Who’s the Party of the Working Class? Economic Populism and the Public’s Beliefs about American Political Parties.” With Stephen P. Nicholson.

“Democratic Accountability, the Separation of Powers, and Government Approval: How Party Government Shapes Approval of American National Institutions.” With Stephen P. Nicholson

“Race Matters: Latino Racial Identities and Political Beliefs.” With Stephen P. Nicholson and Adrian Pantoja.

#### **Awards:**

- 2007 Midwest Latino Caucus Best Paper Award for the Best Paper Presented at the Annual Meeting, Midwest Political Science Association
- 2005 Adaljiza Sosa-Riddell Award for Exemplary Mentoring of Latino/a Faculty, American Political Science Association, Committee on the Status of Latinos y Latinas.
- 2004 Charles Redd Award for Best Paper on the Politics of the American West presented at the 2003 Annual Meeting, Western Political Science Association.

#### **External Grants and Fellowships:**

- 2007 National Science Foundation. “Spanish Translation and Hispanic Over-sample: American National Election Study.” \$722,657 with Matt A. Barreto.
- 2006 National Science Foundation. “Supplemental Grant: Contextual Variation and Latino Political Life.” \$33,754.
- 2006 Latino Policy Coalition. “Understanding Latino Policy Challenges in 21st Century America.” \$40,000 with Matt A. Barreto.
- 2005 National Science Foundation. “Contextual Variation in Latino Political Life.” \$173,600, With Michael Jones-Correa, on behalf of the *Latino National Survey* team. Divided between University of Washington and Cornell University.
- 2002-2005 Private Foundation Grants for the *Latino National Survey*.  
The Latino National Survey is a collaborative project with Luis Fraga, John Garcia, Rodney Hero, Michael Jones-Correa and Valerie Martinez. The project combines a 40-minute survey of 8600 Latino residents of the United States with an extensive array of contextual and demographic data on place of residence.
- 2005 Wm. K. Kellogg Foundation. “Latino National Survey.” \$100,000
- 2005 Carnegie Corporation. “Latino Incorporation in a Changing America: The Latino National Survey.” \$100,000.
- 2004 Joyce Foundation. “Latino Survey in Illinois and Iowa.” \$100,000.
- 2004 Russell Sage Foundation. “Latinos Immigrants in New Receiving Areas.” \$150,000.

- 2004 Irvine Foundation. "Latinos in California Survey." \$150,000.
- 2004 Ford Foundation. "Latino National Survey." \$200,000.
- 2003 Ford Foundation. "Public Policy Advocate Outreach for the Latino National Survey." \$30,000.
- 2002 William and Flora Hewlett Foundation. "Latino National Survey Planning Grant." \$125,000.
- 2002 Annie E. Casey Foundation. "Latino National Survey Working Group," under the auspices of the Inter-University Program in Latino Research. \$20,000.
- 2000 National Science Foundation, SES-0079056. "The Demographics of Pandora's Box: An Empirical Investigation of the Determinants of Who Dies in War." With Scott S. Gartner. Total Grant, \$215,750, divided between the two institutions.
- 2000 Haynes Foundation Faculty Fellowship. "The Blanket Primary and Latino Influence in California's Republican Party." \$10,000
- 1999 Haynes Foundation Faculty Fellowship. "Demography, Representation, and Institutions in Southern California Governments." \$8000
- 1997 Public Policy Institute of California. "Latino Representation and Local Electoral Laws in California." \$25,000
- 1996 Pew Charitable Trusts. "Social Capital, Civic Engagement and Political Participation in Latino Neighborhoods." With Rodolfo de la Garza and Harry Pachon. \$165,000.
- 1995 National Science Foundation, SBR-9511527. "Casualties of War and Politics: American Electoral Politics and the Korean and Vietnam Wars." With Scott S. Gartner. \$72,000.
- 1989 National Hispanic Scholar Fellowship
- 1988 National Hispanic Scholar Fellowship
- 1983 Harry S. Truman Foundation Fellowship

**Recent Internal Grants and Fellowships:**

- 2005 University of Washington's President's Diversity Appraisal Implementation Fund. Grant to establish the "Washington Institute for the Study of Ethnicity and Race," on behalf of the Department of Political Science. March.
- 2003 Obermann Summer Interdisciplinary Research Grant. "Assimilation and Political Incorporation: An Examination of Mexicans, Puerto Ricans, and Cuban Americans." With Wayne Santoro, Assistant Professor of Sociology, UI, Summer.

- 2002 UI Faculty Scholar Award.
- 2002 Obermann Interdisciplinary Research Semester, "Sex, Politics and Economics." Fall.
- 2002 UI Career Development Award, awarded for Spring, 2003.
- 1994 Undergraduate Instructional Improvement Grant, "Politics and Homosexuality."

**Conference Presentations (10 years):**

- "Who's the Party of the Working Class? Economic Populism and the Public's Beliefs about American Political Parties." With Stephen P. Nicholson. Presented at the Annual Meeting of the American Political Science Association, Boston, MA, August 28-31, 2008.
- "Revisiting the Politics of Economic Populism: Class, Faith, and Party Images in the United States." With Stephen P. Nicholson. Presented at the Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 3-6, 2008.
- "Evaluating a Cost-Driven Theory of Wartime Public Opinion." With Scott S. Gartner. Presented at the Annual Meeting of the Western Political Science Association, San Diego, CA, March 20-22, 2008.
- "Calculated Support: Hawks, Doves, Evaluators, and the War in Iraq." With Scott S. Gartner. Presented at the Annual Meeting of the American Political Science Association, Chicago, IL, Aug 30-Sep. 2, 2007.
- "Transnational Linkages, Generational Change, and Latino Political Engagement." Presented at the Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 12-15, 2007.  
*Winner of the Midwest Latino Caucus' Best Paper Award for the Best Paper on Latino Politics presented at the Annual Meeting.*
- "The Efficacy and Trust of Juan Q. Public: How the Immigration Marches Reflect Surprising Support for American Institutions of Governance." With Shaun Bowler and Francisco Pedraza. Presented at the Annual Meeting of the Western Political Science Association, Las Vegas, NV, March 8-10, 2007.
- "LATINO NATIONAL SURVEY: Rollout Presentation: Coming to Grips with Latino Identity." Presented at the Annual Meeting of the American Political Science Association, Philadelphia, PA, Aug 31- Sep 3, 2006.
- "Majority-Minority Districts, Co-ethnic Candidates, and Mobilization Effects." With Nathan D. Woods. Presented at the University of California, Berkeley, Warren Institute on Civil Rights, Conference, February 9, 2006, Washington, DC.
- "Divided Government and Public Attitudes Towards Institutions." With Stephen P. Nicholson. Paper presented at the Annual Meeting of the Southern Political Science Association, Atlanta, GA, January 5-7, 2006.

- “An Evaluation of the Electoral and Behavioral Impacts of Majority-Minority Districts.” With David I. Lublin. Presented at the Annual Meeting of the American Political Science Association, Washington, DC, August 31-September 4, 2005.
- “Race Matters: Latino Racial Identities and Political Beliefs.” With Stephen P. Nicholson and Adrian Pantoja. Presented at the Annual Meeting of the American Political Science Association, Washington, DC, August 31-September 4, 2005.
- “Approval of Governmental Institutions and Party Government.” With Stephen P. Nicholson. Presented at the Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 7-10, 2005.
- “From Radical to Conservative: Civil Unions, Same-sex Marriage, and the Structure of Public Attitudes.” With Ken Cimino. Presented at the Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 7-10, 2005.
- “A General Theory of War Casualties and Public Opinion.” With Scott S. Gartner. Presented at the Annual Meeting of the Western Political Science Association, Oakland, CA, March 16-19, 2005.
- “Hearing Footsteps: Latino Population Growth and Anticipated—but not Quite Present—Political Effects in Emerging Communities.” With Christina Bejarano, graduate student. Presented at the University of Texas conference on Latinos in the 2004 Election, February 11-12, 2005.
- “What Goes Around, Comes Around: Race, Blowback, and the Louisiana Elections of 2002 and 2003.” With Christina Bejarano, graduate student. Presented at the Annual Meeting of the Southern Political Science Association, New Orleans, LA, January 6-8, 2005.
- “Democratic Accountability, the Separation of Powers, and Divided Government: Explaining Presidential and Congressional Approval.” With Stephen P. Nicholson. Presented at the Annual Meeting of the Southern Political Science Association, New Orleans, LA, January 6-8, 2005.
- “Race and the Recall: The Role of Race in the California Recall Election.” With Luis R. Fraga. Presented at the Annual Meeting of the American Political Science Association, Chicago, IL, September 1-5, 2004.
- “A Place at the Lunch Counter: Latinos, African-Americans, and the Dynamics of American Race Politics.” With Helena A. Rodrigues. Presented at the conference “Latino Politics: The State of the Discipline,” Texas A&M University, College Station, TX, April 30-May1, 2004.
- “Assimilation, Incorporation, and Ethnic Identity in Understanding Latino Electoral and Non-Electoral Political Participation.” With Wayne Santoro. Presented at the Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 15-18, 2004.
- “Partisan Gerrymandering and Its Influence on Voter Turnout.” With Matt Barreto and Nathan D. Woods. Presented at the Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 15-18, 2004.

- “A New Generation of Latino Voices: Identity, Attitudes, and Participation.” With Luis Fraga, John Garcia, Rodney Hero, Michael Jones-Correa and Valerie Martinez. Presented at the Annual Meeting of the Western Political Science Association, Portland, OR, March 11-14, 2004.
- “Earthquakes and Aftershocks: Tracking the Macro-partisan Implications of California's Recent Political Environment.” With Stephen P. Nicholson and Shaun Bowler. Presented at the Annual Meeting of the Western Political Science Association, Portland, OR, March 11-14, 2004.
- “Environmental Racism and the ‘Action Gap’: Assessing White and Minority Commitment to Environmental Causes.” With Shaun Bowler and Matthew Whittaker. Presented at the Annual Meeting of the Southern Political Science Association, January 8-10, 2004.
- “Perceptions of Commonality and Shared Interests: Assessing Latino Support for Black-Brown Coalitions.” With Helena Alves Rodrigues. Presented at the Color Lines Conference, Harvard Civil Rights Project, Harvard University, Cambridge, MA, August 31-Sep. 2, 2003.
- “Attitudinal Underpinnings of Black-Brown Coalitions: Latino Perceptions of Commonality With African-Americans and Anglos,” with Helena Rodrigues. Presented at the Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 3-6, 2003.
- “Racial/Ethnic Group Attitudes Toward Environmental Protection in California: Is ‘Environmentalism’ Still a White Phenomenon?” With Matthew Whittaker and Shaun Bowler, presented at the Annual Meeting of the Western Political Science Association, Denver, CO, March 27-30, 2003.  
*Winner of the 2003 Charles Redd Award for Best Paper on the Politics of the American West, Western Political Science Association, March 2004.*
- “Ich bin ein Latino! Sophistication, Symbolism, Heuristics, and Latino Preferences in the 2000 Presidential Election,” with Stephen P. Nicholson and Adrian D. Pantoja, presented at the Annual Meeting of the American Political Science Association, Boston, MA, August 29 – September 1, 2002.
- “Looking Good...Feeling Good! Assessing Whether Dyadic and Collective Descriptive Representation Enhances Latino Efficacy,” with Stacy Burnett Gordon, prepared for presentation at the Annual Meeting of the American Political Science Association, Boston, MA, August 29 – September 1, 2002.
- “Descriptive Representation and Political Alienation Among Latino Citizens” with Adrian D. Pantoja, presented at the Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 25-27, 2002.
- “Rest Assured? Estimating the Potential Demobilization Effects of Overlapping Majority-Minority Districts,” with Matt Barreto and Nathan D. Woods, presented at the Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 25-27, 2002.
- “Estimating and Understanding Social Capital and its Political Effects Among Latinos in the United States,” with F. Chris Garcia and Harry Pachon, presented at the Annual Meeting of the Western Political Science Association, Long Beach, CA, March 22-24, 2002.



- “A Quasi-experimental Estimation of the Effects of Overlapping Majority-Minority Districts on Turnout,” with Matt Barreto and Nathan D. Woods, presented at the Annual Meeting of the Western Political Science Association, Long Beach, CA, March 22-24, 2002.
- “War, Casualties, and Representative Voting: Senate Roll Call Votes in the Vietnam War, 1966-June, 1970,” with Scott S. Gartner and Nathan D. Woods, presented at the Annual Meeting of the American Political Science Association, San Francisco, California, August 30-Sep. 2, 2001.
- “Political Threat and Sophistication Among Latino Voters,” with Adrian D. Pantoja, presented at the Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 19-21, 2001.
- “Agenda Change and the Politics of Latino Partisan Identification,” with Stephen P. Nicholson, presented at the Claremont/Riverside Conference “Minority Representation: Institutions, Behavior and Identity,” Claremont, CA, February 2-3, 2001.
- “An Investigation and Estimation of How Badly the GOP Goofed with Latinos” with Stephen P. Nicholson, presented at the Annual Meeting of the American Political Science Association, Washington, DC, August 31-September 3, 2000.
- “Solving the Latino Under-Representation Problem at the Local Level: Some New Evidence From California” presented at the Annual Meeting of the American Political Science Association, Washington, DC, August 31-September 3, 2000.
- “Citizens by Choice, Voters by Necessity: Patterns in Political Mobilization by Naturalized Latinos,” with Adrian D. Pantoja, presented at the Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 27-30, 2000.
- “Latino Voters, Local Electoral Laws, and the Representation of Multiple Minorities in California,” presented at the Annual Meeting of the American Political Science Association, Atlanta, GA, September 2-5, 1999.
- “The Paradox of Presidential Approval: The Mixed Blessing of Divided Government to Presidential Success,” with Stephen P. Nicholson and Nathan D. Woods, presented at the Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 15-17, 1999.
- “The Color of Money: African-Americans, Latinos, and PAC Discrimination in Congressional Campaign Contributions,” with David B. DeLuz, presented at the Annual Meeting of the Southwest Political Science Association, San Antonio, TX, April 1-3, 1999.
- “State-Level Casualties, Candidate Positions, and Senate Elections in the Vietnam War,” with Scott S. Gartner and Bethany A. Barratt, presented at the Annual Meeting of the Western Political Science Association, Seattle, WA, March 25-27, 1999.

## TEACHING ACTIVITIES

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### Graduate Courses Taught

Seminar in Political Behavior

Research Design in Political Science

Seminar in Congress  
Seminar in Interest Groups  
Quantitative Methods I  
Core Seminar in American Politics

Seminar on Representation & Electoral Systems  
Nature of Political Science Inquiry  
Seminar on Racial, Ethnic, and Social Minorities  
Seminar on Race and Racism in Contemporary  
American Politics

Undergraduate Courses Taught

Elections and Voting Behavior  
Legislative Process  
Societal Responses to AIDS  
Quantitative Analysis  
Latino Politics  
Understanding Political Research  
Inequality and American Democracy

Introduction to American Politics  
Introduction to Political Philosophy  
Politics and Homosexuality  
Minority Representation and the VRA  
Minority and Group Mobilization  
Honors Seminar on Race and Racism

**Doctoral Students Supervised (Chair)**

Christina Bejarano, Assistant Professor, Department of Political Science, University of Kansas, 2007.

Ken Cimino, Policy Analyst, California Department of Transportation, 2004.

Stacy B. Gordon, Associate Professor, Department of Political Science, University of Nevada, 1997.

Daryl Liskey, Senior Computational Social Scientist, Booz Allen Hamilton Corporation (Strategy and Technology Consulting), 2002.

Stephen P. Nicholson, Assistant Professor, School of Social and Behavioral Sciences, University of California, Merced, 1998. Recipient of the APSA's E.E. Schattschneider Award for the Best Dissertation in American Politics, 1999.

Adrian D. Pantoja, Associate Professor, Department of Politics, Pitzer College, 2001.

Helena Rodrigues, Direct, Project ADVANCE, University of Arizona, 2005.

Jacqueline White, Deputy Chief Administrative Officer, County of Los Angeles, 2004.

Nathan D. Woods, Director, Welch Consulting, Washington, DC, 2004.

### **Doctoral Committee Memberships**

Elizabeth Bergman, Assistant Professor, California State University East Bay, 2001.

Jeff Cummins, Assistant Professor, California State University, Fresno, 2003.

Elizabeth DeSouza, Visiting Assistant Professor, Claremont Graduate University, 1999.

Scott Frisch, Associate Professor, Department of Political Science, California State University, Channel Islands, 1997.

Marcia Godwin, Assistant Professor, Public Administration, University of LaVerne, 2000.

Christopher Hoene, Research Manager, National League of Cities, 1999.

William Julius, Visiting Assistant Professor, Department of Political Science, California State University, Fullerton, 2002.

George Monsavaïs, Senior Analyst, Policy Institute of the Church of Jesus Christ of Latter Day Saints, Provo, Utah, 2001.

Roger P. Rose, Associate, Department of Political Science, University of Minnesota, Morris, 1997. (Co-directed)

Deidre Sanders, Environmental Justice Program Manager, Pacific Gas and Electric, 2009.

Gregory Saxton, Assistant Professor, School of Public Policy, State University of New York, Brockport, 2000. (Co-directed)

Nancy Shulock, Associate Professor of Public Policy and Administration, California State University, Sacramento, 1996. Recipient of the APSA's Harold Lasswell Award for the Best Dissertation in Policy Studies, 1997.

Charles Turner, Associate Professor and Chair, Department of Political Science, California State University, Chico, 2000.

Whittaker, Matthew. Staff Researcher, College of Education, University of Iowa. June 2006.

### **Doctoral Dissertations in Progress**

Haub, Brandy Case (UI-Anthro.)

Pedraza, Francisco, University of Washington

Valencia-Garcia, Dellanira (UW Psych)

Valenzuela, Ali, Stanford University

## SERVICE

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### Professional Service and Memberships:

President-elect, Midwest Political Science Association, 2008-2009, President 2009-2010.  
 Southern Political Science Association, Committee on the Status of Gays, Lesbians and  
 Bisexuals, 2008-2009.  
 Western Political Science Association *PRQ* Best Paper Award Committee, 2008-2009.  
 NSF IGERT Panelist, 2007  
 Vice-President, Midwest Political Science Association, 2006-2007.  
 Member, APSA Pi Sigma Alpha Award Committee, 2006-2007.  
 General Program Chair, 2006 Annual Meeting of the Midwest Political Science Association.  
 Board of Overseers, American National Election Study, 2006-2009  
 Member, WPSA Best Paper on Latino/a Politics Committee, 2005-2006.  
 President, Latino Caucus of the American Political Science Association, 2004-2005.  
 Member, Executive Council of the American Political Science Association, 2002-2004.  
     Member of the Council's Administrative Committee, 2003-2004;  
     Member of the Council's Sub-committee on Public Presence, 2003-2004.  
 Member, Nominations Committee, American Political Science Association, 2005-2006.  
 Section Program Co-Chair, Organized Section on Race, Ethnicity, and Politics, 2005 Annual  
 Meeting of the American Political Science Association.  
 Member, Executive Council of the Western Political Science Association, 2005-2008.  
 Member, Executive Council of the Organized Section on Elections, Voting Behavior, and  
 Public Opinion of the APSA, 2002-2004.  
 Member, Editorial Board, *American Journal of Political Science*, January, 2002-present.  
 Member, Editorial Board, *Journal of Politics*, January, 2005-2007; 2009-present.  
 Member, Editorial Board, *Political Research Quarterly*, June 2006-present.  
 Member, Editorial Board, *PS: Political Science & Politics*, January, 2002-2004.  
 Member, Executive Council of the Midwest Political Science Association, 2000-2003.  
 Member, Latino Scholarship Fund Award Committee, American Political Science  
 Association, 2003-2005.  
 Member, Midwest Political Science Association Ad Hoc Committee on Short Courses.  
 Chair, Western Political Science Association's Committee on the Status of Chicanos, 2001-  
 2003.  
 Member, American Political Science Association's Committee on the Status of Latinos y  
 Latinas in the Profession, 1999-2001.  
 Member, Western Political Science Association's Committee on the Status of Chicanos,  
 2000-2001.  
 Member, Steering Committee, Latino Scholarship Fund, APSA Centennial Campaign  
 Invited Lecture, the Joseph Serna Center, California State University, Sacramento, October  
 2008.  
 Invited Presentation, University of Illinois at Urbana, La Casa Cultural Latina and  
 Department of Political Science, November 2007  
 Invited Presentation, Immigrant Political Incorporation Workshop, Harvard, September  
 2007  
 Invited Presentation, Democratic Caucus of the House of Representatives, February 2007  
 Invited Presentation, Center for American Progress, Washington, DC, February 2007  
 Invited Presentation, Latino Issues Forum and San Francisco Foundation, February 2007  
 Invited Lecture, University of California, Davis, February, 2007  
 Invited Lecture, Texas Tech University, Lubbock, April 2006

Faculty Host, Provost Candidate Forum, December 2003.

Member, Faculty Assembly Nominations Committee, April 2003.

Presentation to the Latino Youth Summit, Sponsored by Opportunity at Iowa, October 31, 2003.

Visiting Lecture, Hispanic Student Association, Cornell College, November, 2002.

Paper Presentation, "Changes in Latitudes, Changes in Attitudes: How Latino Immigration and Political Incorporation are Changing the Face of American Politics," at the public forum, "Latinos-Ignored No Longer," sponsored by the UI Council on the Status of Latinos in Commemoration of Latino Heritage Month, October 15, 2002.

Key Note Speaker, UI Latino Commencement Celebration, May 2002.

Conference Presentation, Western Hemispheric Integration, Democracy and the Rule of Law, organized by the UI College of Law and International Programs, April, 2002.

#### *Claremont Graduate University*

Member, Affirmative Action and Diversity Committee,

Serving on the Information Science Search Committee as part of these duties;

Member, Campus Master Planning Committee;

Member, Commencement Speaker Committee;

Member, Lambda Faculty and Staff Association, Curriculum sub-committee, 1997-2001;

Committee for an Undergraduate Major in Political Psychology, April 1999 to 2000;

Panel Speaker, Inauguration of Steadman Upham as President of the University;

Faculty Executive Committee, July 1, 1997 to June 30, 1999;

Space Allocation and Facilities Review Committee, March 1997-2001;

Diversity Task Force, January 1997 to May 1998;

Chair, Campus-wide Working Group on Financial Aid and Fellowship Allocation Policy, Spring 1998;

Community Fellows Selection Committee, October, 1998;

#### *UC-Davis*

Member, Central Valley Initiative Planning Committee, Vice-Provost's Office, Spring 1994;

Member, Chancellor's Committee on Lesbian, Gay and Bisexual Issues, April 1994-1996;

Member, Institute of Governmental Affairs--SSDS Statistical Consultant Search Committee, Summer 1994;

Chair, Institute of Governmental Affairs-ICPSR Committee and UCD Faculty ICPSR Liason, 1994-95;

### **Departmental Service:**

#### *Stanford University*

American Politics Field Chair, 2008-09.

Member, Graduate Admissions, 2008-09.

Member, American Politics Search Committee, 2008-09.

Member, CCSRE Curriculum Committee, 2008-present.

Chair, Ernesto Galarza Memorial Lecture Committee, 2008-present.

Director, CCSRE Public Policy Institute, 2009.

*University of Washington*

Member, Lev Award Committee, 2007  
Member, Third-year Review Committee for Matt Barreto, 2007  
Member, Graduate Admissions Committee, 2006-08  
Chair, Tenure and Promotion Review for Luis Ricardo Fraga, 2006  
Chair, African-American Politics Target of Opportunity Search, 2005-06.  
Member, Graduate Program Committee, 2005-07.  
Member, Honors Program Interview Committee, 2005-06.

*University of Iowa*

Member, Department Executive Committee, 2003-04.  
Member, Department Bose Speaker Series Committee, 2003-04.  
Member, Tenure Review Committee for Sara M. Mitchell, December 2003.  
Chair, American Politics Doctoral Examination Field Committee, November 2003.  
Chair, Third-year Review Committee, Fred Boehmke, 2002-2003.  
Chinese Politics Search Committee, 2002  
Computer Committee, 2001-2002

*Claremont Graduate University*

Coordinator of the MA program in American Politics, 1999-2001;  
American Politics Field Committee;  
Admissions and Awards Committee, Chair: July 1997-June 1999;  
Political Economy Search Committee 1996-1997;

*UC-Davis*

American Politics Search Committee, 1995-96;  
MA Graduate Program Advisor (American, Public Law, and Theory), 1994-95;  
Member, Graduate Affairs Committee, 1994-96;  
Coordinator, Political Science Research Colloquium, 1992-1994;  
Law and Politics Search Committee, 1993-94;  
Director, Public Affairs Internship Program, 1993-94;  
Co-Director, Public Affairs Internship Program, 1992-93;  
Member, Undergraduate Affairs Committee 1991-92;



***EXHIBIT B***

### Sources

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- Haider-Markel, Donald P., Mark R. Joslyn and Chad J. Kniss. 2000. "Minority Group Interests and Political Representation: Gay Elected Officials in the Policy Process." *The Journal of Politics*, 62 (2): 568-577.

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- Lax, Jeffrey, and Justin H. Phillips. 2009. "Gay Rights in the States: Public Opinion and Policy Responsiveness." *American Political Science Review*, 103 (3): 367-386.
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