

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EDITH SCHLAIN WINDSOR, in her
capacity as Executor of the estate of THEA
CLARA SPYER,

Plaintiff,

v.

THE UNITED STATES OF AMERICA,

Defendant.

10-cv-8435 (BSJ)(JCF)

EXPERT AFFIDAVIT OF GARY SEGURA, PH.D.

I, Gary M. Segura, Ph.D., hereby depose and say as follows:

PRELIMINARY STATEMENT

I. Expert Background and Qualifications

1. I am a Professor of American Politics in the Department of Political Science at Stanford University. I have been retained by counsel for Plaintiffs as an expert in connection with both the above-referenced litigation. I am being compensated for this effort at a rate of \$250 per hour, and may be reimbursed for expenses in the event that I have to travel in connection with my services. I have actual knowledge of the matters stated in this affidavit and could and would so testify if called as a witness. 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 Affidavit.

2. In the past four years, I have testified as an expert – either at trial or through declaration – or been deposed as an expert in *Perry v. Schwarzenegger*, No. 09-2292 (N.D. Cal. May 22, 2009), *Gill v. Office of Pers. Mgmt.*, No. 09-10309 (Mar. 3, 2009), and *Commonwealth of Mass. v. U.S. Dep't of Health and Human Servs.*, No. 09-11156 (July 8, 2009).

3. 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 in 1992. My tertiary field of emphasis was political methodology. My MA was also from the University of Illinois in 1990, and I earned my undergraduate degree from Loyola University of New Orleans in 1985.

4. 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 the latter role, I am one of the Principal Investigators of the American National Election Studies for 2009-2013, the premier data-gathering project for scholars of American elections.

5. 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).

6. To date, I have authored 44 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 in 2005. I am also the co-author of *Latino Lives in America: Making It Home*, addressing new patterns of Latino life and politics in the U.S., published by Temple University Press in 2010. I have a third book being published in the Autumn of 2011 with Congressional Quarterly Press, entitled "*The Future is Ours: Minority*

Politics, Political Behavior, and the Multiracial Era of American Politics, a comparative exploration of political behavior across American racial and ethnic minority groups and how such behaviors will shape American party coalitions in the coming decades. I am the co-author of *Latinos in the New Millennium: An Almanac of Opinion, Behavior, and Policy Preferences*, currently under contract with Cambridge University Press and scheduled to appear in 2012.

7. I am the former President of the Midwest Political Science Association (MPSA), the second-largest organization of American political scientists. In 2006, I was the General Program Chair of the MPSA Annual Meeting. In 2011, I was elected Vice-President and Program Chair of the Western Political Science Association for 2012-2013, and will serve as President in 2013-14. In addition, I am a member and former Executive Council Member of the American Political Science Association, member and former Executive Council Member of the Western Political Science Association, and member of the Southern Political Science Association. I serve or have served 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.

8. In preparing this affidavit, I reviewed the Complaint, Attorney General Eric Holder's letter to Representative John Boehner dated February 23, 2011, and the materials listed in the attached list of sources (Exhibit B). I rely on those documents, in addition to the documents specifically cited as supportive examples in particular sections of this affidavit, as support for my opinions. I have also relied on my years of experience in the field of political science, as set out in my curriculum vitae (Exhibit A), and on the materials listed therein.

II. Summary of Conclusions

9. Gay men 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 their goals or protect their interests. The powerlessness of gay men and lesbians 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 from the courts.

III. Political Powerlessness in General

10. 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 James Madison onward, American democracy frequently has been understood as a pluralist system, in which competition among groups should ideally ensure that no one interest becomes permanently dominant, or determines outcomes over a large number of decisions over a long time. Madison believed that in an “extended” republic, coalitions commanding the day on one issue would dissolve and be replaced by a different majority coalition on the next issue.

11. Modern political scientists generally approach pluralism through the concept of group interests. In what David Truman calls “disturbance” theory, the action of one group raises challenges to the interests of another, causing the latter to react, and preventing a single interest from dominating the political process. However, scholarly work on collective action (including Mancur Olson among others) has found that 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 own behalf than others, and some groups suffer a permanent disadvantage that places them

at the mercy of others. Reflecting this concern, eminent political scientist Elmer Eric Schattschneider famously wrote, “The flaw in the pluralist heaven is that the heavenly chorus sings with a strong upper-class accent.” Those with greater resources – time, money, and numbers – exert greater influence on the political process. Minorities, by definition, are less numerous than the majority.

12. The existence of societal prejudice against a particular group makes the accumulation of resources, including finances and allies, more difficult. Moreover, that same prejudice 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 the role of the Madisonian corrective in the pluralist system by protecting disadvantaged minorities from majoritarian excesses and from effective exclusion from the political process.

13. Political power refers to a person’s or group’s 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.

14. Power may also be reflected in the content of the political agenda, the issues that

are considered for legislative action. More powerful political actors face fewer legislative threats to their interests than less powerful actors. The very circumstance of being forced to defend interests against potential legislative action is a reflection of weakness rather than strength.

15. Groups that lack political power may, on occasion, receive pledges of support, or even desirable legislative outcomes, that they themselves lack the power to *compel* through the political process. An elected official may arrive at a position on a policy or proposal for their own reasons unrelated to the specific communicated preferences of the minority group's constituents.

16. In some instances, the minority preferences may be entirely beside the point. For example, an elected official may choose not to support a bill or policy proposal because he or she may determine that the policy has implications adverse to *other* interests or because the costs of implementation or enforcement of the policy are too great.

17. Positive legislative outcomes may also be the result of "affinity" or sympathy from legislators in a position to bestow them. An elected official may decide not to support a bill or policy proposal that discriminates against, singles out, or mistreats a minority group because he or she independently believes that discriminating against, singling out, or mistreating the minority group is wrong. But since these pledges or outcomes are not the result of an exercise of political power *by the minority group*, they are not necessarily indicative of a group's actual political power. Moreover, they are significantly more vulnerable to reversal than those achieved through the exercise of actual power. The affinity or sympathy that gave rise to the support could dissipate or flatten, and is likely to be abandoned in the face of subsequent opposition, and in the absence of sufficient power and influence of the minority group to counter opposition.

18. For example, in a recent legislative debate over the legalization of marriage for same-sex couples in the Maryland House of Delegates, several members of the chamber who had *co-sponsored* the legislation — and even some who had solicited endorsements and donations during the election cycle on this basis — ultimately voted against it in committee, publicly announced their intention to vote against it on the floor, and subsequently did so. These legislators’ apparent support in the earlier stage of the legislative process was costless, and withered in the face of mobilized opposition and as an actual roll-call vote approached.

19. Following Dahl’s understanding, power can be illustrated only in comparison to a baseline understanding of the decision-makers’ preferred actions. That is, to demonstrate that power had been at work, one would need to observe successful instances of opinion change on the part of a legislator in the face of positive or negative sanction or, alternatively, electoral change precipitated by the ire of the dissatisfied constituency.

20. Apparent policy “agreement” is a particularly erroneous measure of power when mere “agreement” requires no action on the part of the policy-maker. Again, the example of candidates and officials endorsing a policy position, only to recant that support when an actual vote approaches, illustrates the illusory nature of this form of support.

21. My opinion does not rest on the extreme assumption that in no place, at no time, under any circumstances, have gay men and lesbians won any outcome.

22. Rather, my view is that we must weigh the relative impact of positive and negative outcomes against the numerosity of moments of contestation and the insecure nature of legislative gains. Policy “successes” should not be considered in isolation. While legislative gains have occurred in some states and localities, the adoption of statute and constitutional amendments expressly in opposition to the interests of gay men and lesbians has also occurred in

numerous jurisdictions. Even an assessment of “trend” requires consideration of the relative frequency of each and the stakes involved in each of the policy debates.

23. Policy successes – whether at the state or federal level – are insecure so long as the rights and legal status of lesbians and gays remains a subject of legislative action. We must consider the frequency with which legislative gains have been repealed, turned back by the voters, or foregone altogether, as well as the serious risk of repeal of legislative gains after each election cycle in which political power shifts to a different political party. Recent policy modifications, such as the adoption of a mechanism to end the “Don’t Ask, Don’t Tell” policy, illustrate precisely this dynamic. Several prospective Republican presidential candidates have expressed support for a repeal of this legislation and the reinstatement of “Don’t Ask, Don’t Tell,” a view also shared by members of the new House majority and Republican members of the Armed Services Committee. Similarly, a repeal of the legislative enactment of marriage equality for same-sex couples in New Hampshire, adopted just one year ago, is already under deliberation in the state’s legislature, whose partisan control shifted in the last election.

24. Even positive outcomes for gay men and lesbians that are secured through court rulings are vulnerable to popular or legislative rollback. For example, in response to the Iowa Supreme Court’s ruling that lesbians and gay men could not be excluded from the institution of civil marriage, anti-gay forces like the National Organization for Marriage organized a nationally funded campaign to defeat three of the members of that court in judicial retention elections in November 2010, and were ultimately successful in defeating all three. The defeat of state jurists facing retention elections has the dual effect of weakening that court’s majority—raising the possibility of their reversing the previous decision—as well as chilling similar action by jurists in other states whose judicial views might otherwise lead them to similar conclusions.

25. Furthermore, many of the policy “successes” that have benefitted gay men and lesbians are acts that remediate or repeal express, *de jure* discrimination against the group. Remediation of existing discrimination and disadvantage should be distinguished from affirmative political power. For example, the adoption of hate crimes statutes inclusive of sexual orientation, while a “success” for gay men and lesbians, was necessary only because there is such prevalent bias-related violence against gay men and lesbians. While a fair assessment of the relative political “power” of gay men and lesbians would include the adoption of such legislation, it must also include a consideration of the underlying behavior and bias that gave rise to the need for the legislation, which is an indicator of political powerlessness, not strength.

26. In light of the political disadvantages still faced by a small, targeted, and disliked group, I conclude that gay men and lesbians are powerless to *secure* basic rights within the normal political processes.

27. Traditional markers of political powerlessness include systematic disadvantages in the political process; the existence of significant prejudice, stigmatization, or *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. Here, I organize traditional markers of political powerlessness into two categories: manifestations of power and powerlessness, on which gays and lesbians score poorly, and factors that contribute to political disadvantage, on which gays and lesbians—to their detriment—score high.

IV. Political Powerlessness of Gays and Lesbians

A. Manifestations of Political Powerlessness

28. Although an exhaustive catalog is impossible, the lack of meaningful political

power possessed by gay men 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 gay men and lesbians. Some examples are discussed below. The political powerlessness of gay men 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

29. To date, there is no federal legislation prohibiting discrimination against gay men and lesbians in employment, education, access to public accommodations, or housing. Indeed, the history of the Employment Non-Discrimination Act (ENDA) provides a good example of gay men and lesbians' inability to compel policy outcomes for which they actively advocate. ENDA, which would extend employment protections on the basis of sexual orientation (and in some versions, gender identity) has been introduced regularly since 1994 (with earlier versions existing as far back as the 1970s), but has never passed both houses of Congress. It has failed to win passage in both Republican and Democratic controlled Congresses. While the legislation attracts many "co-sponsors," one cannot test the reliability or strength of this support in the absence of a recent and meaningful vote, or any realistic chance of its passage. The almost complete absence of legislative progress on the issue suggests that, at the very least, it is not a legislative priority for most legislators or the leadership of either party and, at worst, that the "support" is rhetorical and without substance.

30. In 1996, Congress adopted the “Defense of Marriage Act,” or DOMA which, among other things, prevented even legally married same-sex couples from filing joint tax returns, inheriting social security benefits, and obtaining all of the other rights afforded to married individuals by federal law. This preclusion of rights acquisition was signed into law by a Democratic president. Until recently, litigation against the Defense Marriage Act has been actively resisted by both Democratic and Republican administrations. Indeed, until February 2011, the Obama Justice Department defended the constitutionality of DOMA despite the administration’s public support for its legislative repeal. And the recent decision by the Department of Justice to cease its defense of DOMA in court came only after one house of Congress passed into the control of the opposite party, thus allowing that body the opportunity to intervene in the litigation. In short, it was a change of course without immediate practical effect. Moreover, the Department of Justice continues to maintain that there are rational bases for DOMA, should the courts conclude that rational basis is the proper standard of review.

31. Despite a long-documented record of violence against gay men and lesbians, attempts to extend existing federal hate crimes to include violent crimes based on the perceived sexual orientation of the victim reached fruition only in 2009, after more than a decade of advocacy by civil rights groups and supporters. Previously, gays and lesbians enjoyed virtually no such federal protection. The legislative process that produced even this positive outcome is illustrative of the political powerlessness of gay men and lesbians. To provide political cover, the bill extending hate crimes protections to gays and lesbians was attached to and adopted as part of a Defense Appropriations Bill. Even under these circumstances, 75% of Republican members of the Senate felt it necessary to vote against it. In the House of Representatives, 131 of 175 Republican members voting (again, 75%) also opposed the hate crimes provision,

illustrating at once the depth of opposition to even ameliorative measures that benefit gay men and lesbians, as well as the fragility of the institutional support for such outcomes. It is again worth noting that the impetus for this legislation was the pattern of violence directed at gay men and lesbians, a circumstance that provides important context for why the adoption of such a provision need not represent an exercise of “power.”

32. In 1993, Congress codified the military’s “Don’t Ask, Don’t Tell” (DADT) policy, under which lesbians and gay men were required to conceal their sexual orientation in order to serve in the military, were investigated if suspected to be gay, and were discharged if they admitted or were found to be gay. Like the “Defense of Marriage Act,” this legislation was signed by a Democratic president. In December 2010, Congress adopted a provision that contained an administrative mechanism that makes an end to this policy possible. Even with this positive outcome however, the circumstances under which it was achieved highlighted the ultimate political powerlessness of gays and lesbians. The DADT policy has been in effect for over 17 years and, despite significant evidence of abuse – including discharges initiated based on unsubstantiated allegations and third-party accusations, and aggressive investigations beyond the bounds of the policy – and its cost to the military, repeal had not seriously been considered. Both Republican and Democratic administrations defended DADT in court. The current Democratic administration discouraged legislative attempts to attach legislation repealing DADT to the Defense Authorization bill in the summer of 2010, or indeed at any point prior to the November 2010 election. There was no legislative action on the policy for most of the 111th Congress, beyond committee hearings, and despite widespread shifts in public opinion on this issue, no final action was taken prior to the general election. When the matter was finally taken up during the lame-duck session, Republican members offered fierce opposition in both

legislative chambers. Of 175 votes cast in the House by Republican Party members, 160 (or 91.4%) were against the provision to repeal DADT. In the Senate, 31 of 39 Republican senators (79.5%) opposed the repeal. Like the hate crimes legislation, the DADT repeal illustrates the limited access gay men and lesbians have to the legislative process because of the stalwart opposition of one party.

33. On the state level, there is no statutory protection against discrimination in employment or public accommodations for gay men and lesbians in twenty-nine states.

34. *De jure* inequality also exists in state constitutional law. In 1990, there was not a single state constitutional provision that targeted gay men and lesbians for unequal treatment. Today, in three-fifths of the states there is now constitutionally-established inequality—that is, the exclusion of gay men and lesbians from a civil institution is formally written into the framework of government. Indeed, in many states, voters passed ballot initiatives to amend their state constitutions to prohibit same-sex couples from marrying even *after* the state legislature had already passed statutes barring same sex couples from marrying. An additional 11 states affirmatively exclude gay men and lesbians from civil marriage by statute but have not yet amended their constitutions.

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

35. Evidence from the past two decades in particular has demonstrated that gay men and lesbians are especially vulnerable in the context of direct democracy. That is, positive legislative outcomes achieved at the state and local levels are often insecure. Initiatives and referenda frequently and effectively have been used to reverse or pre-empt the legislative grant at the state or local levels of policies benefiting or protecting gays and lesbians. These ballot

initiatives can be broken into three groups: (1) those which overturn anti-discrimination policies, (2) anti-marriage initiatives, and (3) restrictions on adoption.

36. *Overturing anti-discrimination policies*—The first wave of ballot actions on gay and lesbian rights began in the early 1970s, but reached its peak in the 1990s. The most common form was citizen initiatives to overturn municipal, county, or state extensions of anti-discrimination policies to sexual orientation. These ballot actions were generally successful. Legislative enactments were overturned in cities and counties across the country, including Santa Clara County and the City of San Jose, California; Tacoma, Washington; Lewiston, Maine; Lansing, Michigan; St. Paul, Minnesota; Wichita, Kansas; and perhaps most famously, Miami-Dade County, Florida. A very small number of pro-gay votes also occurred and, not surprisingly, did not fare as well, including the defeat of a voter attempt to compel the Davis, California City Council to enact a gay rights ordinance. Haider-Markel and colleagues (2007) identified 143 votes from the 1970s through 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' relationships. It is worth noting that many anti-gay measures amended city charters or state constitutions to increase the burden on gays and lesbians and their supporters for accomplishing policy change, such as Colorado's Amendment 2, struck down by the Supreme Court in *Romer v. Evans*, 517 U.S. 620 (1996). The general approach of such measures was to prohibit legislative action preemptively, and require that any change be through popular, majority vote (with all of the disadvantages for minority rights this implies).

37. *Anti-marriage initiatives*—In 2004 alone, anti-marriage equality ballot initiatives passed in 13 states. To date, gay and lesbian marriage rights have been voted on at the state level 34 times, most recently in Maine in November 2009. 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 passed 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.) In Washington State in 2009, the pro-gay position also prevailed, but the vote was on domestic partner rights specifically defined to exclude the legal concept of marriage.

38. In Maine, the state legislature managed to adopt equality for same-sex couples through statute. That policy success was short lived, as a popular majority was able to overturn legislative action and reinstate the ban on marriage between same-sex couples through statewide ballot on “Question 1.” This outcome was secured with massive intervention from national anti-gay organizations, such as the National Organization for Marriage, as well as substantial investment by religious organizations, including the Roman Catholic Church, whose role was documented and touted in Catholic media sources. Campaign materials used by interests opposing marriage equality were, in some instances, identical to those used in the campaign to repeal marriage equality in California via Proposition 8, illustrating the vast and national reach of those interests working against the interests of gay men and lesbians.

39. *Adoption*—In 5 states, gay men and lesbians are prohibited from adopting children. Some of these bans were adopted recently. For example, in 2008, Arkansas voters adopted Arkansas’ Act One, which prohibited adoption by unmarried cohabitating couples, an act conceived with regard to—and targeted at—same-sex couples. Act One was struck down in April 2011 as an unconstitutional infringement on the right to privacy by the Arkansas Supreme

Court. That decision notwithstanding, it is possible, and I think likely, that these initiatives or legislative actions will appear elsewhere in the future. Indeed, Arizona recently enacted statutory preference for heterosexuals in the state's foster and adoption programs. In the 2008 American National Election Study, 47.6% of respondents nationwide felt that gay men and lesbians should be prohibited from adopting. Since that percentage varies widely across states, I and others expect initiatives to prohibit same-sex couples from adopting to start appearing in states where the level of opposition exceeds 50%.

40. Thus, beyond the obstacles gay men and lesbians face in the traditional legislative process, ballot initiatives further disadvantage them politically and have undone many of the benefits they have obtained through legislative action. The success of anti-gay ballot initiatives, moreover, makes it less likely that legislatures will enact pro-gay policies in the first place (Lax and Phillips 2009), because elected officials will fear having their actions overturned by angry constituents. Moreover, many gay and lesbian activists' fear that the reactive post-initiative policies will be worse than the status quo, thereby forcing them to consider whether not seeking legislative policy change in the first instance is actually in the best interests of the group. For example, several successful anti-marriage ballot initiatives also prohibited civil unions and domestic partnerships, removing benefits that had existed prior to the enactment of the anti-gay ballot initiatives.

41. 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 more of an opportunity to prevent

undesirable outcomes. The passage of Proposition 8 in California and Question 1 in Maine both illustrate that coalition politics are more easily broken down in popular vote situations where misleading messages can circumvent community leaders and political elites.

42. 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 direct democracy processes were established and written into the laws of the western states, note the association of progressive reforms with anti-immigrant sentiment (among other factors). 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.

43. The initiative process has now been used specifically against gay men and lesbians more than against any other social group.

44. While there has been an increase in state and local jurisdictions with statutory anti-discrimination protections for gay men and lesbians over the last two decades, these legislative successes have been resisted strongly at the ballot box. Again, in three-fifths of the 50 states, voters have amended their state constitutions to establish formal political and social inequality for gays and lesbians. Similar proposals to amend the federal constitution have also been considered.

Underrepresentation in Political Office

45. Gay elected officials have risen to various offices around the country. These

representatives may strive to advocate for gay and lesbian rights, but their numbers and limited legislative impact on issues concerning those rights continue to demonstrate significant under-representation and reliance on friendly, heterosexual representatives, over whom gay men and lesbians hold no direct political power. For example, 85 state legislators nationwide are openly gay, but the total number of state legislators nationwide is 7,382, so those 85 legislators represent only 1.2% of the total. A recent study by the Williams Institute estimated the gay, lesbian and bisexual population of the U.S. to be approximately 3.5%. Under even the most conservative estimates of gay and lesbian population share, this number indicates that gays and lesbians are substantially under-represented. Prior to 1990, only four openly gay men or lesbians were members of state legislatures.

46. There have been only seven openly gay members of Congress in history, and only four—considerably less than one percent of all members—serve today (.9% of the House, .75% of the entire Congress). Four of those seven were initially elected to the House with their sexual orientation not publicly known. Only three 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), Tammy Baldwin (D-WI), and David Cicilline (D-RI). The first two 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. Gay Republicans face an extremely difficult time, and the few gay GOP elected officials who have emerged seldom last, most leaving power either through primary challenges or retirement in the face of pressure. There has never been an openly gay President, U.S. Senator, Cabinet level appointee, or Justice of the United States Supreme Court.

47. The percentages of gay and lesbian representation at the local level are lower still. In 2010, the Gay and Lesbian Leadership Institute identified 288 local elected gay or lesbian political officials serving on city councils, county commissions, school boards, and other local offices (http://www.glli.org/out_officials), which is an insignificant fraction of the total number of elected local officials. 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%) were identified as openly gay. These officials are also concentrated in the coastal states 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

48. Numerous factors, often working in combination or in mutually reinforcing ways, contribute to the political powerlessness of gay men 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 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

49. 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 gay men and lesbians is not close to being sufficient to obtain electoral predominance in a single jurisdiction, let alone change the composition of a 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 migration to established lesbian and gay communities 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 gay men and lesbians have sufficient numbers to determine (or substantially influence) the outcome of only a few city council or county board seats, or state legislative districts, nationwide. At any level of aggregation above the precinct or neighborhood, there is no place with a gay majority.

Effect of HIV/AIDS Epidemic

50. 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 reported 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 potential voters, organizers, and leaders is a profound setback to a community whose population starts as a fairly small share of the society. Harder to calculate are the lost financial contributions to the political efforts of gay men and lesbians as a consequence of this epidemic. Gay men and lesbians have both raised substantial amounts of money for HIV-related research and social services, diverting resources that could otherwise 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—reliable allies, elected

officials, votes, dollars, and organizational capacity—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 gay people and same-sex relations, and to resist political change that would have advanced gay equality.

Violence

51. 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 is an attempt to intimidate other members of 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 the individual, an entire group, and intimidate other group members from patronizing businesses, moving to neighborhoods, enrolling in schools, or otherwise exercising their personal liberties.

52. Though broad federal hate crimes protections for gays and lesbians came into existence only recently, the FBI has collected data on hate crimes committed on the basis of perceived sexual orientation for a number of years, 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, 2009, the total number of hate crime incidents was 6,604, and 1,482 (17.8%) of those were on the basis of sexual orientation. 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.

53. Reported hate crime incidents range from simple assault to murder. According to the FBI's statistics, in 2008, 73 percent of all hate crimes committed against gays and lesbians included an act of violence; 71 percent of all hate-motivated murders in the United States were of gay men and lesbians; and fifty-five percent of all hate-motivated rapes were against gays and lesbians.

54. FBI Hate Crimes reports for 2009 show that gay men, along with Jewish Americans, are the most likely to be victimized by a bias crime. The Southern Poverty Law Center ("SPLC") also suggests that steps forward in the cause of gay and lesbian equality seem to be associated with a subsequent surge in antigay violence, pointing to data immediately in the wake of the Supreme Court's ruling in *Lawrence v. Texas*, 539 U.S. 558 (2003), in which the Court struck down Texas' sodomy law. 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.

55. 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 2009 as they were in 2003.

Invisibility

56. A unique aspect of gay and lesbian identity that distinguishes gays and lesbians 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 their consequences, can be avoided. While this strategy avoids some risks of identification, passing itself has a personal and a political cost.

57. The unwillingness to identify has several important implications for the question of whether gay men and lesbians can meaningfully or effectively act on their own behalf politically. While not a panacea, social contact with gay men and lesbians is generally associated with more sympathetic policy preferences. Invisibility undermines community support.

58. 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.

59. Mobilization levels among gay men and lesbians is lower than other groups but is 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.

60. Since not all gay men 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.” This leads the public to believe—mistakenly—that gay men and lesbians are not in need of certain protections.

61. The public perception that gay men and lesbians are better educated or have higher incomes is not accurate. Statistically, gays and lesbians do not have higher levels of income and, when all gay men and lesbians are considered rather than only the self-identified,

are no better educated than the public at-large. My analysis of the 2004 National Exit Polls demonstrates no difference between heterosexual voters and gay and lesbian voters on income and education.

62. Efforts on the part of gay men and lesbians—incorrectly perceived as less numerous and more privileged than they actually are—to gain statutory protection is characterized by opponents as both unjustified and transgressive. This misperception works both to mobilize opponents and to encourage complacency by potential allies.

63. In addition, the fact that sexual orientation is not directly visible may reduce the group's ability to attract allies. Invisibility means that potential heterosexual allies may reasonably fear being misidentified as gay or lesbian, reducing the chance that they will mobilize on behalf of gays and lesbians. The National Coalition of Anti-Violence Programs reported in 2008 that 9% of hate-crimes reported to their participating agencies on the basis of perceived sexual orientation victimize heterosexuals misidentified as gay or lesbian.

64. Finally, invisibility exacerbates the problem of geographic and social dispersion, making it more difficult for gay men and lesbians to find each other and mobilize politically.

Censorship

65. In a variety of ways, gay men 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 educators 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. This year, Tennessee considered legislation banning the mention or discussion of homosexuality in primary grades, though action has been put on hold until the next legislative session. Even in the face of the HIV epidemic, Arizona, for example, prohibits any mention that same-sex intimacy could be made “safe.”

Public Hostility and Prejudice

66. 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 from the courts. Such low public regard makes it difficult for gay people to achieve significant political progress, implicitly justifies legislative and electoral actions against gay men and lesbians, and severely hampers their ability to attract donors, allies, coalition partners, or even public sympathy.

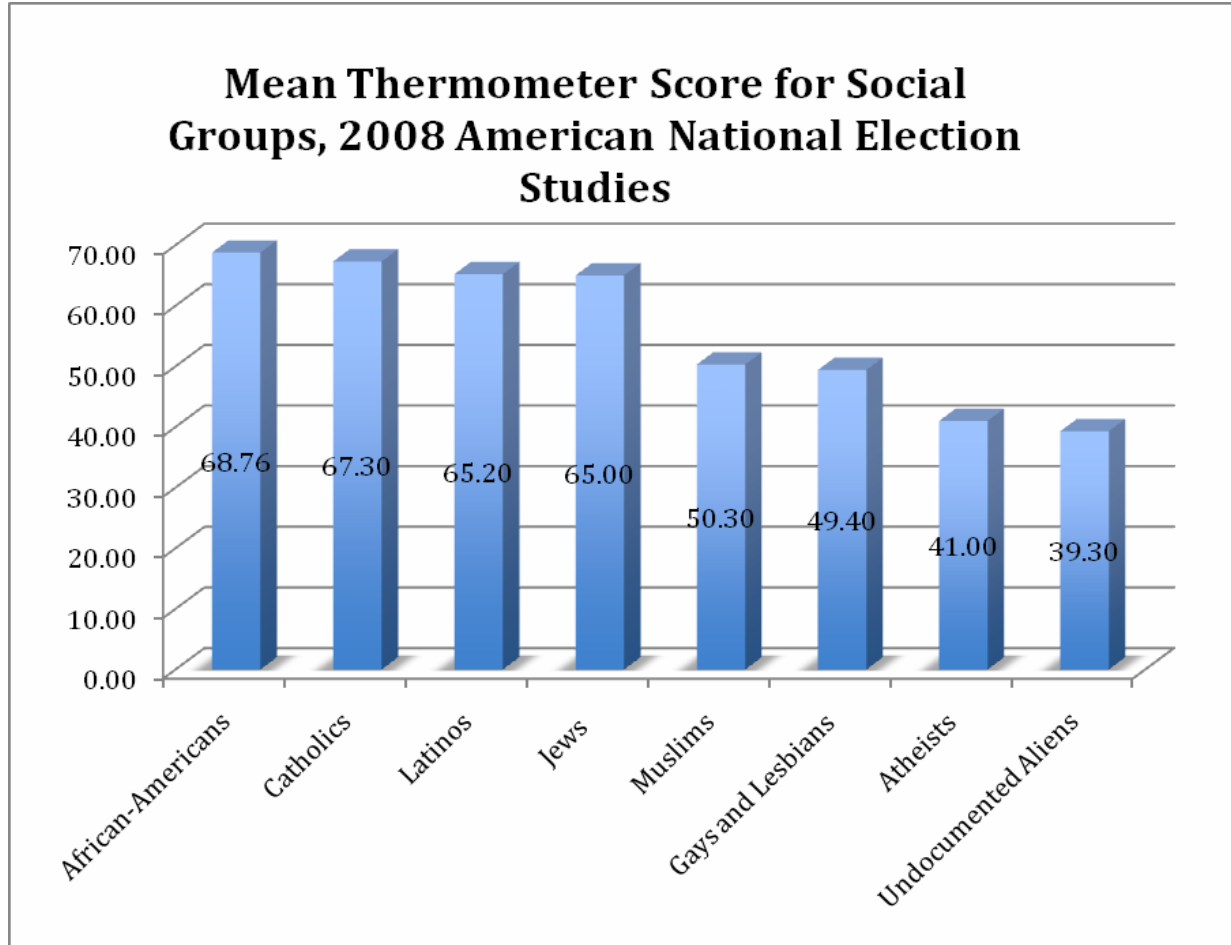
67. In each national election year, the American National Election Study (available at electionstudies.org or the ICPSR website) asks a representative sample of American citizens to gauge their “warmness” toward a particular group. Political scientists call this instrument a “feeling thermometer” and the scale of each ranges from 0 to 100, with 100 indicating strong warmness/fondness/positive views.

68. 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 temperature 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 of each group is between 65 and 69 degrees on the “thermometer,” and the standard deviations are between 19 and 20, indicating majority positive perception of each of these groups. Standard deviation is a statistical score that calculates how spread apart the responses are around the mean.

69. By contrast, gay men and lesbians fare far worse. Fully 65.4% of respondents rated gays at or below the mid-point of 50 and the mean temperature response was 49.4 (std.dev 27.7), indicating that a majority of respondents do not perceive gay men and lesbians positively. 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 gay men and lesbians is 16 points lower than for Jews and Hispanics, and 19 points lower than for 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 gay men and lesbians.

70. The following chart is illustrative of this point:



71. The trend in “warmness” toward gay men and lesbians has been positive over the last several decades (as it has, in fact, for many groups in society). Notwithstanding that trend, the relative placement of gay men and lesbians vis-à-vis other “out-groups” in society suggest that public esteem remains a significant obstacle to political progress. 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 (mean=50.3), atheists (mean=41), and undocumented aliens (mean=39.3). It is revealing that 13.4% of respondents gave gay men and lesbians a score of zero, a percentage exceeded only by scores for undocumented immigrants (15.4%) and atheists (18.6%).

Political and Social Hostility

72. Gay men and lesbians face outspoken denunciation by elected officials in a manner that would be unthinkable if directed toward almost any other social groups. 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.

73. Gay men and lesbians have been described by a sitting U.S. Senator as “the greatest threat to our freedom that we face today.” Another sitting senator, during his successful campaign, openly called for gay men and lesbians to be banned from the classroom, a claim he repeated last year at a public rally. A third senator compared same-sex marriage to marrying “a box turtle.” He was subsequently reelected with a large margin. Same-sex intimacy has been described by a sitting senator as morally equivalent to incest and bestiality. In 2010, the GOP nominee for governor of New York responded to a question about marriage equality for same-sex couples by saying that “we should stop pandering to pornographers and perverts...” The social and political disadvantage that flows from these very public and derisive comments is palpable.

74. While there may be pockets of tolerance here or there at the state and local levels, and occasionally successful gay or lesbian candidates, in large swaths of the nation, political condemnations of gay men and lesbians are not electorally costly, they may even be used to gain electoral support. It is difficult to identify many cases where an elected official was so damaged by holding anti-gay positions that he or she lost public office on this basis, but there are countless cases across the country where candidates felt advantaged by taking a particularly harsh anti-gay

viewpoint. 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

75. The structure of the American party system is such that the path to pro-LGBT equality policy change lies exclusively through the actions of one party. The increasing power of evangelical Christians and self-styled “Tea Party” advocates 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. The complete disinterest of one party severely disadvantages gay men and lesbians, since gay men and lesbians can thus be understood as “captured” by the Democratic party, that is, unlikely to bolt from the party or abstain from voting for it in large numbers. Under these circumstances, the capturing party can take the political support of the group for granted.

76. Although the Democratic Party is more supportive in its rhetoric, Democrats have repeatedly shrunk from any extension of rights to gay men and lesbians at the federal level. Democrats controlled the White House from 1993 to 2001, and the Congress until 1994 and from 2006 to 2010. Nevertheless, nondiscrimination statutes and federal recognition of state-sanctioned marriages between same-sex couples remain undelivered. Again, “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.

77. Gay men and lesbians are disadvantaged by the circumstance of party capture. The almost complete indifference or hostility of Republican elected officials to the political interest of gay men and lesbians confines their political opportunities for support and public office to a single party, the Democrats. Democratic leaders, mindful of this complete exclusion, are thus free to neglect and even occasionally set back gay and lesbian interests, secure in the knowledge that the other party does not represent a credible threat for peeling away voters. Gay men and lesbians may be disenchanted with the quality and intensity of representation they appear to receive from Democratic office-holders but, in a practical sense, have no alternative. Taken together, Republican hostility and Democratic capture significantly weaken the political voice of lesbians and gay men.

Moral and Political Condemnation

78. While the pluralist framework envisions shifting majorities and rotation in office, perceived 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 (<http://www.norc.org/GSS+Website/>) 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 showed comparable numbers, at 56% and 11.8% respectively.

Powerful, Numerous, and Well-Funded Opposition

79. 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 marriages between same-sex couples 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. These reports were supported by documentary evidence and testimony introduced in the *Perry v. Schwarzenegger*, 704 F. Supp. 2d 921 (N.D. Cal. 2010), trial in the Northern District of California, in particular evidence of interstate coordination and fundraising within and between global religious organizations. 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, the National Organization for Marriage 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 coordination, for example, explains how 13 statewide initiatives concerning marriage for people in same-sex relationships appeared in a single year, 2004. Similarly, the coordination of campaigns from California to Maine illustrates the national nature of these efforts. 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 gay men and lesbians. Gay men and lesbians lack the political resources—including voting numbers, cash, elected officials from the group, reliable allies, reach, or a favorable political opportunity structure—to counter this kind of committed, organized opposition to their interests.

80. When scientific and learned societies have concluded that there is no evidentiary or scientific bases to justify anti-gay biases or policies—whether with respect to the practice of homosexuality or in evaluating gay men and lesbians as parents, as healthy, productive members of society, and so forth—forces opposed to their political and social incorporation have formed splinter or shadow organizations designed to give the appearance of scientific approval to positions without broad scientific and professional support. For example, the American Psychological Association long ago removed homosexuality from their diagnostic manual as a psychologically disordered behavior, as the consensus in psychological research is that there is little or no psycho-pathology associated with homosexual identity. Nevertheless, anti-gay forces have founded the National Association of Research and Therapy for Homosexuality (NARTH). Likewise, the American Academy of Pediatrics has been publicly supportive of gay and lesbian parenting, and states on their website that “A growing body of scientific literature reveals that children who grow up with one or two gay and/or lesbian parents will develop emotionally, cognitively, socially, and sexually as well as children whose parents are heterosexual.” In response, anti-gay activists have established the “American College of Pediatricians” which, despite their name, is actually an anti-gay organization with a fraction of the Academy’s membership and no scientific or professional standing. These non-mainstream organizations, with names designed to evoke a false sense of scientific authority, exist principally to discredit the scientific consensus regarding gay people, unquestionably weakening their political power.

IV. Comparative Political Powerlessness

81. Gays and lesbians suffer an extreme degree of political vulnerability and

powerlessness compared to most other groups in society. 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

82. When the 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, by the time of their recognition as a quasi-suspect class by the Court, women had achieved important victories in the political process, including the 1963 Equal Pay Act, coverage in the 1964 Civil Rights Act and its subsequent amendments, and specific statutory and constitutional protection in several states.

83. 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

84. 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 enforced, it was nonetheless a *de jure* status superior to that now held by lesbians and gay men. In addition, as early as 1941, President Roosevelt issued Executive Order 8803 prohibiting race discrimination in contracting and employment in companies doing business with the U.S. 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 gay men today.

85. 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, 73 people of color serve in the House of Representatives. African Americans, Latinos, and Asian Americans have been elected governors and big city mayors. They form outright majorities in dozens of jurisdictions and approximately 60 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.

Signed under the penalty of perjury under the laws of the United States this

17th day of MAY, 2011

Gary M. Segura

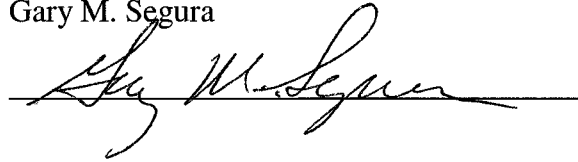
A handwritten signature in cursive script, reading "Gary M. Segura", written over a horizontal line.

EXHIBIT A

SCHOLARSHIP

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:

“Should They ‘Dance with the One Who Brung ‘Em?’ Latinos and the 2008 Presidential Election.” 2008. *PS: Political Science and Politics*, 41 (4). Forthcoming. 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.

“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.
- “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 (graduate students).
- “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, graduate students.
- “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:

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

“An Evaluation of the Electoral and Behavioral Impacts of Majority-Minority Districts.” Forthcoming. In Levi, Margaret, Jack Knight, James Johnson, and Susan Stokes, eds. *Mobilizing Democracy: A Comparative Perspective on Institutional Barriers and Political Obstacles*. 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*. Forthcoming. 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*. Forthcoming, University of Virginia Press. With Helena A. Rodrigues.

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

“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.

“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

Revise and Resubmit:

“Heuristics, Nativity, and Political Judgment: Foreign Born Latinos and Vote Choice.” With Stephen P. Nicholson and Adrian D. Pantoja.

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

Under Review:

“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):

- “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.
- “The Problem of Local Representation for Gays and Lesbians,” presented at the Annual Meeting of the American Political Science Association, Boston, MA, September 2-6, 1998.
- “Casualties, Positions on the War, and Senate Elections in the Vietnam War,” with Bethany Barratt and Scott Gartner, presented at the Annual Meeting of the American Political Science Association, Boston, MA, September 2-6, 1998.
- “Social Context and Aggregate Turnout: Moving Beyond Purely Cultural or Institutional Approaches,” with Elizabeth Bergman, presented at the Annual Meeting of the Western Political Science Association, Los Angeles, CA, March 19-21, 1998.
- “Institutions Matter: Local Electoral Laws, Gay and Lesbian Representation, and Coalition Building Across Minority Communities,” presented at the Annual Meeting of the Western Political Science Association, Los Angeles, CA, March 19-21, 1998.
- “A General Model of the Relationship of Wartime Casualties and Opinion,” with Scott S. Gartner, presented at the Annual Meeting of the American Political Science Association, Washington, DC, August 28-31, 1997.
- “Myths and Realities, Ethnicity and the Vietnam War, Part II,” with Scott S. Gartner, presented at the Annual Meeting of the Organization of American Historians, San Francisco, CA, April 17-19, 1997.
- “Midterm Elections and Divided Government: An Information Driven Theory of Electoral Volatility,” with Stephen P. Nicholson, presented at the Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 10-12, 1997.

TEACHING ACTIVITIES

Graduate Courses Taught

Seminar in Political Behavior	Research Design in Political Science
Seminar in Congress	Seminar on Representation & Electoral Systems
Seminar in Interest Groups	Nature of Political Science Inquiry
Quantitative Methods I	Seminar on Racial, Ethnic, and Social Minorities
Core Seminar in American Politics	Seminar on Race and Racism in Contemporary American Politics

Undergraduate Courses Taught

Elections and Voting Behavior	Introduction to American Politics
Legislative Process	Introduction to Political Philosophy
Societal Responses to AIDS	Politics and Homosexuality
Quantitative Analysis	Minority Representation and the VRA
Latino Politics	Minority and Group Mobilization
Understanding Political Research	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, Research Analyst, CNA Corporation (Political and Security 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, Honors College Advisor, University of Arizona, 2005.

Jacqueline White, Assistant Division Chief of Finance, Chief Administrative Office, County of Los Angeles, 2004.

Nathan D. Woods, Research Associate, Welch Consulting, Santa Monica, CA, 2004, and Adjunct Assistant Professor, Department of Political Science, University of Southern California.

Doctoral Committee Memberships

Elizabeth Bergman, Visiting Assistant Professor, Cal Poly Pomona, 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 Monsavais, Senior Analyst, Policy Institute of the Church of Jesus Christ of Latter Day Saints, Provo, Utah, 2001.

Roger P. Rose, Associate Professor and Chair, Department of Political Science, Benedictine University, Lisle, IL, 1997. (Co-directed)

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

Nancy Shulock, Associate Vice President for Academic Affairs and 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, 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

Valencia-Garcia, Dellanira (UW Psych)

SERVICE

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.
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 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
Invited Lecture, Texas State University, San Marcos, April 2006
Invited Lecture, University of California, Berkeley, October 2005

Invited Panelist, American Anthropological Society Conference on Race and Human Variation, Arlington, VA, September 2004
Invited Lecture, Texas A&M University, College Station, November 2004
Invited Lecture, University of California, San Diego, May 2004
Invited Lecture, Washington University in St. Louis, February, 2004
Invited Lecture, University of Wisconsin, Madison, April, 2003
Invited Lecture, University of Washington, November, 2003
Invited Lecture, Hunter College-CUNY, October, 2002
Invited Lectures, Ralph Bunche Institute, 2000, 2004
Invited Discussant, Conference on Migration, UC-San Diego, Fall 2000
Invited Lecture, University of California, Irvine, April, 1999
Invited Panelist, Conference on the “New Californios” UC-Irvine, April 1997.
Invited Panelist, Conference on “The 1996 elections and the Latino Community,” School of Public Policy, University of California, Berkeley, November 1996.
Section Program Chair, Voting and Elections, 2001 Meeting of the WPSA
Manuscript Reviewer: APSR, AJPS, JOP, LSQ, PRQ, SSQ, JCR, Political Behavior, Political Psychology, El Centro, APR, NSF, PS, International Migration Review
Tenure Reviewer (Seven occasions to date)

University and College Service:

UW

Departmental Review Committee, Department of Communication, 2007-8
Founder and Director, University of Washington Institute for the Study of Ethnicity, Race, and Sexuality, 2006-present.

UI

Faculty Senate, 2003-2004.
Member, Faculty Senate Committee on Government Relations, 2002-2004.
Member, University of Iowa Council on the Status of Latinos, 2001 to present.
Member, Board in Control of Athletics, 2003-2004; Subcommittees on Academic Achievement and Equity.
Member, Sexuality Studies Program Advisory Committee, 2003-2004.
Member, Obermann Center Advisory Committee, 2003-2005.
Member, Interdisciplinary Research Grant Review Committee, Obermann Center, December 2003.
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.

CGU

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:

UW

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.

UI

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

CGU

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

- The American National Election Studies* (ANES; www.electionstudies.org). The ANES 2008 Time Series Study [dataset]. Stanford University and the University of Michigan [producers].
- Barth, Jay, L. Marvin Overby, and Scott H. Huffmon. 2009. "Community Context, Personal Contact, and Support for Anti-Gay Rights Referendum." *Political Research Quarterly* 62 (2): 355-365
- Cahill, Sean. 2007. "The Anti-Gay Marriage Movement." In Rimmerman, Craig A., and Clyde Wilcox, eds., *The Politics of Same Sex Marriage*. Chicago: University of Chicago Press.
- Campbell, David C. and Carin Robinson. 2007. "Religious Coalitions For and Against Gay Marriage." In Rimmerman, Craig A., and Clyde Wilcox, eds., *The Politics of Same Sex Marriage*. Chicago: University of Chicago Press.
- Dahl, Robert A. 1956. *A Preface to Democratic Theory*. Chicago: University of Chicago Press.
- FBI Hate Crime Statistics. Various years. For 2007, see:
<http://www.fbi.gov/ucr/hc2007/index.html>
- Gartner, Scott S. and Gary M. Segura. 1997. "Appearances can be Deceptive: Self-Selection, Social Group Identification, and Political Mobilization." *Rationality and Society*, 9 (2): 131-162.
- General Social Surveys, 1972-2008*. [machine-readable data file]. Principal Investigator, James A. Davis; Director and Co-Principal Investigator, Tom W. Smith; Co-Principal Investigator, Peter V. Marsden, NORC ed. Chicago: National Opinion Research Center, producer, 2005; Storrs, CT: The Roper Center for Public Opinion Research, University of Connecticut, distributor. 1 data file (53,043 logical records) and 1 codebook (2, 656 pp).
- Haider-Markel, Donald P. and Kenneth J. Meier. 1996. "The Politics of Gay and Lesbian Rights: Expanding the Scope of the Conflict." *The Journal of Politics*, 58 (2): 332-349.
- 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.
- Haider-Markel, Donald P., and Mark R. Joslyn. 2005. "Attributions and the Regulation of Marriage: Considering the Parallels between Race and Homosexuality." *PS: Political Science and Politics*, 38 (2): 233-239.

- Haider-Markel, Donald P., Alana Querze, Kara Lindaman. 2007. "Lose, Win, or Draw?: A Reexamination of Direct Democracy and Minority Rights." *Political Research Quarterly*, 60 (2): 304-314.
- Hero, Rodney. 1992. *Latinos and the US Political System*. Philadelphia: Temple University Press.
- 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.
- Lupia, Arthur, Yanna Krupnikov, Adam Seth Levine, Spencer and Alexander Von Hagen-Jamar. 2009. "Why State Constitutions Differ in their Treatment of Same-Sex Marriage." Presented at the Annual Meeting of the American Political Science Association, Toronto, ON, September 2-5.
- Madison, James, Alexander Hamilton, and John Jay. 1988 ed. (originally published 1787-88). *The Federalist Papers*. Edited by Garry Wills. New York: Bantam Books.
- National Coalition of Anti-Violence Programs. 2009. "Hate Violence Against Lesbian, Gay, Bisexual and Transgender People in the United States, 2008."
- National Election Pool, Edison Media Research, and Mitofsky International. 2004. NATIONAL ELECTION POOL GENERAL ELECTION EXIT POLLS, 2004.[Computer file]. ICPSR version. Somerville, NJ: Edison Media Research/New York, NY: Mitofsky International [producers], 2004. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2005.
- Olson, Mancur. 1965. *The Logic of Collective Action*. Cambridge: Harvard University Press.
- Out Officials*, The Gay & Lesbian Leadership Institute, at http://www.glli.org/out_officials.
- Schattschneider, E.E. 1960. *The Semisovereign People*. New York: Harcourt, Brace Jovanovich.
- Truman, David. 1951. *The Governmental Process*. New York: Knopf.
- Zaller, John. 1992. *The Nature and Origins of Mass Opinion*. Cambridge: Cambridge University Press.