

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI CIVIL DIVISION

Case No. 1:12-cv-22282-WJZ
Honorable Judge William J. Zloch

KARLA VANESSA ARCIA, an individual,
MELANDE ANTOINE, an individual, VEYE
YO, a civic organization based in Miami-
Dade County, FLORIDA IMMIGRANT
COALITION, INC., a Florida non-profit
corporation, NATIONAL CONGRESS FOR
PUERTO RICAN RIGHTS, a Pennsylvania
non-profit corporation, FLORIDA NEW
MAJORITY, INC., a Florida non-profit
corporation, and 1199SEIU UNITED
HEALTHCARE WORKERS EAST, a Labor
Union,

Plaintiffs,

v.

KEN DETZNER, in his official capacity as
Florida Secretary of State,

Defendant.

**NOTICE OF FILING OF CORRECTED DECLARATION
AND EXPERT REPORT OF DANIEL A. SMITH**

Plaintiffs Arcia, *et al.*, hereby file the attached corrected and superseding Declaration and Expert Report of Daniel A. Smith, filed as Exhibit B to Plaintiffs' Memorandum of Law in Support of Their Motion for Preliminary Injunction and Summary Judgment (DE 65-4). The corrections, identified below, do not change his overall conclusions. The following corrections were made:

- ¶ 10. Changed the sentence "In my opinion, . . . FDOS's past practices to identify 'potential non-citizens' are not fully transparent nor in accordance its own stated protocol."

to

“In my opinion, . . . FDOS’s past practices to identify ‘potential non-citizens’ are not fully transparent nor in accordance with its own stated protocol.”

- ¶ 12. Changed the sentence “According to FDOS, these names were drawn . . . by matching the Florida voter file with Florida’s Drive and Vehicle Information Database (“DAVID”).”

to

“According to FDOS, these names were drawn . . . by matching the Florida voter file with Florida’s Driver and Vehicle Express System (“DAVE”).”

- ¶ 30. Changed the sentence “The 1,206 individuals who are on the 2,626 person list but who not included in the larger list...”

to

“The 1,206 individuals who are on the 2,625 person list but who were not included in the larger list...”

- ¶ 33. Changed the sentence “As for the 1,419 individuals who were not on the 180,000 person list...”

to

“As for the 1,419 individuals who were on the 180,000 person list...”

- ¶ 35. Changed the sentence “In my opinion, . . . FDOS is identifying individuals for further scrutiny in ways that are not fully transparent nor in accordance its own stated protocol.”

to

“In my opinion, . . . FDOS is identifying individuals for further scrutiny in ways that are not fully transparent nor in accordance with its own stated protocol.”

- ¶ 37. Changed the sentence “In fact, . . . only 41 of the 107 names identified by FDOS as have been purged were on the list of 2,625 potential non-citizens generated by FDOS.”

to

“In fact, . . . only 41 of the 107 names identified by FDOS as having been purged were on the list of 2,625 potential non-citizens generated by FDOS.”

- ¶ 41. Changed the sentence “The system they are now implementing appears to be based on a compilation of names collected in some manner to the way FDOS compiled the lists of 2,625 names and the list of ‘approximately 180,000.’”

to

“The system they are now implementing appears to be based on a compilation of names collected in some manner **similar** to the way FDOS compiled the lists of 2,625 names and the list of ‘approximately 180,000.’”

- ¶ 42. Changed the sentence “Thus, when FDOS matches the statewide voter roll against the DHSMV-DAVID registry, that may be a mismatch...”

to

“Thus, when FDOS matches the statewide voter roll against the DHSMV-**DAVE** registry, that may be a mismatch...”

- ¶ 45. Changed the sentence “As shown in Tables 1 and 2, racial minorities disproportionately represented on the list of 2,625 ‘potential non-citizens.’”

to

“As shown in Tables 1 and 2, racial minorities **are** disproportionately represented on the list of 2,625 ‘potential non-citizens.’”

Dated: September 24, 2012

Respectfully submitted,

/s/ John De Leon

John De Leon

Florida Bar No. 650390

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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on September 24, 2012, a true and correct copy of the foregoing was served on all counsel of record via CM/ECF.

Dated: September 24, 2012

By: /s/ John De Leon
John De Leon

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DECLARATION AND EXPERT REPORT OF DANIEL A. SMITH

I, Daniel A. Smith, Ph.D., hereby declare as follows:

I. Introduction

1. I am over the age of 18 years and have personal knowledge of all facts stated herein.
2. I am Dr. Daniel A. Smith, Professor of Political Science and University of Florida Research Professor (2010-2012). Since August, 2003, I have served as a tenured member of the Graduate Faculty at the University of Florida. I received my Ph.D. in Political Science from the University of Wisconsin-Madison in 1994, and B.A.s in History and Political Science from Penn

State University in 1988 (*cum laude; Phi Beta Kappa*). For five years (2007-2011), I served as the Director of the University of Florida's Political Campaigning Program, and I am currently the Coordinator of the Political Science Department's Internship Program. I am also the President of ElectionSmith, Inc., which specializes in empirical research on voting and elections in the United States. A full and up-to-date copy of my CV is attached. *See Attach. 1.*

3. At the University of Florida, I have taught a range of graduate and undergraduate courses, including but not limited to State and Local Government, Political Parties & Interest Group Politics, The Politics of Direct Democracy, The Politics of Campaign Finance, and The Politics of Reform. My courses on State and Local Government and The Politics of Reform include sections on electoral laws, voting rights, and voter participation in the United States, including in Florida.

4. For nearly two decades, I have conducted empirical research on electoral politics in the United States, focusing on the disparate effect of political institutions on political behavior. My scholarly research focuses broadly on voting and elections in the United States, with a particular interest in how political institutions shape political participation. I have written extensively on voting and elections in the United States, and have published two academic books and over 50 articles and book chapters on the broad topic. Among my scholarly writings are several articles that examine Florida politics, including a coauthored article examining the impact of changes in the state's electoral laws on early voting and a recent paper on the impact of changes in the state's electoral laws on voter registration. My research has been published in the discipline's foremost academic journals (including the *American Political Science Review*, *Journal of Politics*, *Political Research Quarterly*, *American Politics Review*, *State Politics and Policy Quarterly*, and *Election Law Journal*). I have also contributed numerous essays in edited volumes on the topic of voting and

elections. I am a former Senior Fulbright Scholar, and I have received numerous grants and awards for my work on campaigns and elections, including from the U.S. Department of State and the American Political Science Association. I have served on the governing board as well as the editorial board of *State Politics and Policy Quarterly*, the official journal of the State Politics and Policy Section of the American Political Science Association, and I have served as an external reviewer for more than a dozen scholarly journals and publishers. Furthermore, I am coauthor of a leading undergraduate textbook, *State and Local Politics: Institutions and Reform*, now in its 3rd edition, which includes a section on how state-level electoral laws affect political participation, including voting, and numerous examples drawn from Florida.

5. As a consultant, I have submitted expert work in numerous state and federal courts, including an affidavit for the Defendant (the Florida Secretary of State) in the case *Worley v. Detzner*, successfully defending the state's disclosure laws; the case is currently being appealed before the U.S. Court of Appeals, 11th Circuit. In July, I submitted an affidavit on behalf of the plaintiffs in *Brown, et al. v. Detzner, et al.* in Federal District court in Jacksonville, providing empirical evidence regarding early voting in Duval County. I have testified on election-related matters before the Florida state House and Senate. Last January, I testified before the U.S. Senate Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights on the impact of Florida's omnibus voting and election law, House Bill 1355 (H.B. 1355). This past spring, I served as an expert for the Plaintiffs (The League of Women Voters of Florida, the National Council of La Raza, and Common Cause Florida) in *Romo v. Scott*, the federal redistricting case heard in Florida Circuit Court (Leon County). In 2010, I was the lead author of an *amicus* brief that was mentioned during oral argument before the Supreme Court of the United States in the public disclosure case, *Doe v. Reed*.

6. Over the years, I have been quoted hundreds of times by news media worldwide on issues related to voting and elections in Florida. More specifically, in the past year, my research on voting and elections in Florida has been mentioned in the *Wall Street Journal*, the *New York Times*, *The Economist*, *USA Today*, *The Los Angeles Times*, the *Miami Herald*, the *Tampa Bay Times*, the *Florida Times-Union*, the *Orlando Sentinel*, *Florida Sun Sentinel*, the *Gainesville Sun*, the *Dallas Morning News*, *The Nation*, *ABC News*, *Fox News*, *National Public Radio*, Jacksonville's *WOKV* and Miami's *WLRN*.

7. I have been retained by the Plaintiffs to assess the contents of the various databases created by the Florida Department of State ("FDOS") in their effort to evaluate FDOS's efforts to identify "potential non-citizens" on the state's voter rolls. I am being retained at a rate of \$250 per hour, plus expenses. I have appended my abbreviated c.v.

8. In informing my opinion, I have read numerous press releases issued by FDOS, documents produced by FDOS, memos and letters sent to and from FDOS, as well information conveyed by state employees in emails and on Twitter®. I have also examined various statewide voter files, data files obtained from FDOS, and data files from Florida Supervisors of Elections, all obtained through public records requests.

9. In what follows, I reach the following conclusions: (1) the statements of FDOS as to how it is conducting its purge have proven inconsistent and untrustworthy; (2) the apparent non-random nature of one FDOS list suggests a concern with the overinclusion of Hispanics; (3) the inaccurate past statements of FDOS, the history of past purges conducted by FDOS, the short time left before the election, and uncertainties in FDOS's intended process all suggest the likelihood of inaccuracies in FDOS's planned attempts to remove non-citizens from the rolls, with the likely impact that citizens will also be removed.

II. The Florida Department Of State Has Not Acted In Accordance With Its Own Stated Protocol.

10. In my opinion, based on extensive examination of public data files supplied by FDOS, there is good reason to believe FDOS's past practices to identify "potential non-citizens" are not fully transparent nor in accordance with its own stated protocol.

11. In order to assess the methods by which FDOS is identifying "potential non-citizens," it is instructive to compare what FDOS has reported that it is doing with the "potential non-citizen" data generated by FDOS. In short, before assessing any patterns in the datasets created by FDOS, in my opinion it is important to begin by understanding what FDOS claims it has done to identify "potential non-citizens" on the statewide voter rolls.

12. In April 2012, FDOS sent to the state's Supervisors of Elections (SOEs) the names of the 2,625 "potential non-citizens." According to FDOS, these names were drawn from a larger list of 180,506 "potential non-citizens" that was generated by the Florida Department of Highway Safety and Motor Vehicles ("DHSMV") by matching the Florida voter file with Florida's Driver and Vehicle Express System ("DAVE").

13. After conducting extensive empirical analysis of data from the Florida voter file and the various datasets made public by FDOS, I believe there are serious questions about how FDOS systematically narrowed its initial list of "approximately 180,000" "potential non-citizens." In particular, FDOS does not seem to have used the process that it says it used.

A. FDOS Represented That The List of 2,625 Names Was Pulled As A Sample From Its List of Approximately 180,000 "Potential Non-Citizens."

14. In a letter to U.S. Department of Homeland Security (DHS) Secretary Janet Napolitano dated June 19, 2012, Florida Secretary of State Ken Detzner wrote to explain that the state of Florida wanted to use DHS's Systematic Alien Verification for Entitlements Program

(SAVE) database, in order “to verify the citizenship status of naturalized U.S. citizens and the immigration status of defined categories of non-citizens.”¹ In his June 19, 2012 letter, Secretary Detzner explained that in its prior efforts that did not use SAVE, FDOS was unable “to validate a person’s legal status” because the state lacks “up-to-date” information. In the letter, Secretary Detzner outlined the steps FDOS took in “the Spring of 2011” in an attempt to identify non-citizens on the voter rolls. In particular, it worked with the Florida Department of Highway Safety and Motor Vehicles (DHSMV) so as to access DHSMV’s Drivers and Vehicle Information Database (DAVID). DAVID, according to Secretary Detzner in his letter, includes “citizenship/immigration-status information for individuals who have obtained a state driver license or identification card.” Through an automated match process of DHSMV’s DAVID and the Florida voter file, as described in Secretary Detzner’s letter, DHSMV identified “approximately 180,000” “potential non-citizens” out of the “roughly 11 million common records” in FDOS’s voter file.

15. According to Secretary Detzner in his June 19, 2012 letter, FDOS “manually review[ed] each automated match” using “a two-step process.” To conduct such a manual review, in my opinion, FDOS likely would have needed hundreds, if not thousands, of man-hours to verify “both the identity and legal status” of the initial list of approximately 180,000 “potential non-citizens” generated by the automated match using DHSMV’s DAVE. Yet, according to Secretary of Detzner in his letter to DHS Secretary Napolitano, “Only a record that is verified as to both identity and non-citizen legal status is deemed a ‘potential ineligibility’

¹ Ken Detzner, Secretary of State, Florida Department of State, “Letter to The Honorable Janet Napolitano, U.S. Department of Homeland Security,” June 19, 2012. Available at http://www.dos.state.fl.us/news/communications/pressRelease/pdf/6-19-2012_Sec_Detzner_Letter_to_DHS_Sec_Napolitano.pdf (accessed last August 31, 2012).

match, valid for subsequent determination and possible removal by county Supervisors of Elections under the process prescribed by section 98.075(7), Florida Statutes.”

16. As Secretary Detzner acknowledged in his June 19, 2012 letter, “FDOS soon recognized that the most significant limitation in its process was outdated citizenship-status information contained in a person’s DAVID record, which is only as current as the person’s last interaction with DHSMV.” This meant that the purge list would inevitably be over-inclusive, as it would necessarily include old and outdated information. In particular, it would list individuals as non-citizens who had become citizens after their last interaction with DMV. It was evident as early as August 2011, according to Secretary Detzner, that FDOS had only a limited ability to validate a person’s citizenship status using DHSMV’s DAVID. At this time, FDOS began seeking access to DHS’s SAVE database in an effort to validate the “outdated” information FDOS had obtained from the FDHSM’s DAVID.

17. When DHS initially refused to provide access to the database, FDOS apparently decided to move ahead with its effort to remove non-citizens from the rolls even though it knew that its list of potential non-citizens was inaccurate. In particular, as Secretary Detzner states in his June 19, 2012 letter that after FDOS narrowed in April 2012 the list of “approximately 180,000” names that were generated by FDOS’s joint efforts with DHSMV, “FDOS forwarded a sample of roughly 2,700 persons identified as potential non-citizens to Supervisors of Elections for their additional review.”²

² On page 2 of an April 2012 Webinar made available to the 67 SOEs, FDOS claimed that “FVRS voter registration records matched against DHSMV’s DAVE records.” Florida Department of State, “Processing Ineligible Registered Voters- Non-Immigrants,” Presented by Dr. Christopher Sharp, Chief Bureau of Voter Registration Services, April 2012.

18. This is one of several occasions on which FDOS stated that the list of roughly 2,600 persons was a sample drawn from the list of approximately 180,000 persons. Less than a week after writing his June 19, 2012 letter to DHS Secretary Napolitano, Secretary Detzner spoke in Tallahassee to veteran *Tampa Bay Times* newspaper bureau chief, Steve Bousquet. As reported by Bousquet, Secretary Detzner indicated how the smaller list was created. According to Bousquet, quoting Secretary Detzner:³

Detzner said the 2,625 people had more interactions with the Department of Highway Safety and Motor Vehicles than other names in the larger group — meaning they were more likely to be non-citizens.

About 1,200 people on the original list were in Florida on work or student visas, and had to renew their drivers' licenses each year. The other 1,400 were “more random,” Detzner said.

19. Further confirmation of the methodology FDOS used to draw 2,625 individuals from its larger list of roughly 180,000 “potential non-citizens” was summarized in less than 140 characters on Twitter® by Governor Scott’s spokesperson, Brian J. Burgess. Burgess responded to a June 20, 2012, message of mine, in which I tweeted, “but my Q is how was that test sample determined? It certainly doesn’t appear to be a random draw from the 182k.”⁴ Burgess replied,

³ Steve Bousquet, “State won't release larger list of possible non-citizen voters,” *Tampa Bay Times*, June 26, 2012. Available at <http://www.tampabay.com/news/politics/elections/state-wont-release-larger-list-of-possible-noncitizen-voters/1237192> (last accessed September 9, 2012).

⁴ On June 20, 2012, at 5:41pm, I, Daniel A. Smith (@electionsmith), tweeted, @brianjburgess but my Q is how was that test sample determined? It certainly doesn't appear to be a random draw from the 182k. Available at <http://de.twitter.com/electionsmith/status/21560540777959936> (last accessed September 9, 2012). As for the 182k figure in my tweet, the previous week the *New York Times* published an Associated Press story which stated that, “Florida says as many as 182,000 registered voters may not be citizens.” AP, “Florida: Voter Purge Results in Countersuits,” June 11, 2012. Available at http://www.nytimes.com/2012/06/12/us/florida-voter-purge-results-in-countersuits.html?_r=0 (last accessed September 9, 2012).

“I believe part of the sample included the most recent files and then a mix of random samples of the remainder.”⁵

B. It Is Clear, Based On Examination Of The Lists, That The List of 2,625 Names Was Not, As FDOS Has Claimed, A Random Sample From The List Of Approximately 180,000 “Potential Non-Citizens.”

20. FDOS has repeatedly stated that the list of 2,625 “potential non-citizens” that FDOS sent to the SOEs in April, 2012, was drawn from the list of “approximately 180,000” registered voters.

21. This is simply not the case. By matching voter identification numbers in the Florida voter file with the DHSMV’s initial list of roughly 180,000 names, and with FDOS’s list of 2,625 names, it becomes very clear that FDOS’s list it sent to the 67 SOEs in April 2012, and which it is currently using to identify “potential non-citizens whose current status needs to be confirmed by the SAVE database,” is not a random sample of the larger list of “approximately 180,000.” Indeed, nearly half of the individuals on FDOS’s list of 2,625 “potential non-citizens” are not even contained within the DHSMV’s initial list of “approximately 180,000” “potential non-citizens.” In short, a substantial portion of the list of 2,625 “potential non-citizens” was not populated using the methodology that Secretary Detzner describes in his June 19, 2012 letter to Secretary Napolitano.⁶

⁵ On June 20, 2012, at 5:56pm, Brian J. Burgess (@brianjburgess), tweeted, @electionsmith I believe part of the sample included the most recent files and then a mix of random samples of the remainder. Available at <http://de.twitter.com/brianjburgess/status/215609141799026688> (last accessed September 9, 2012).

⁶ Ken Detzner, Secretary of State, Florida Department of State, “Letter to The Honorable Janet Napolitano, U.S. Department of Homeland Security.”

Thus, FDOS has not been forthcoming in how it initially created its list of 2,625 “potential non-citizens” and that it is currently using to query DHS’s SAVE database.⁷

1. The List Was Not Randomly Drawn.

22. In my opinion, the protocol used to draw a scientifically drawn subsample from a larger population is very straightforward. In order to ensure that a random sample is representative of the larger population, a few simple, but critical steps must be followed.⁸ First, before drawing a random sample, one needs to determine an absolute number or a certain percentage of the total population to be selected into the sample, say 1,500 “potential non-citizens” or 1 percent of the total population of “potential non-citizens” (e.g., 1,805).⁹ Then, all of the individuals in the total population (180,506 “potential non-citizens”) must be randomly ordered in what is typically called the “sampling frame.” This is often done by simply alphabetizing the list. Then, all of the individuals in the sampling frame—in this case, all 180,506 “potential non-citizens” originally identified by FDOS—must be assigned an identification number, beginning with 1 and ending (in this case) with 180,506. Using any one of a host of computer programs, the next step of conducting a random draw is both a quick and painless exercise. From a scientific point of view, it is crucial that every individual in the sampling frame has an equal chance of being selected into the sample.

⁷ Florida Department of State Press Office, “Florida’s Voter Eligibility Initiative Confirms 207 Non-citizens on Voter Rolls Using SAVE Database, Around 8 Percent of Voters Checked.”

⁸ For a clear discussion of generating a random sample, see Johnson, Janet Buttolph and H.T. Reynolds (with Jason D. Mycoff), *Political Science Research Methods*, 6th ed. Washington, D.C.: CQ Press, 2008, pp. 217-19.

⁹ It is also important to determine if the sample will be drawn without replacement, meaning that once an observation (i.e., a registered voter) is selected, it is not available to be selected into the sample again. One can only assume, if FDOS did indeed conduct a random sample from the list of 180,506 “potential non-citizens,” would not have drawn a sample with replacement, meaning that if an individual was selected into the sample, he or she would be placed back into the pool of observations for any additional draws.

23. There are many metrics that can be used to establish whether FDOS's smaller list of "potential non-citizens" was randomly drawn from the larger list created by DHSMV. All of them, however, require matching the voter identification numbers of the 2,625 "potential non-citizens" sent to the Supervisors of Elections in April 2012 with the voter identification numbers of the "approximately 180,000" "potential non-citizens" identified by DHSMV, and matching the voter identification numbers of both lists with the Florida voter file.

24. One such metric to establish whether the smaller list was randomly drawn from the larger list is examining the racial and ethnic composition of the two lists, compared with one another as well as with the Florida voter file. Table 1, below, compares the racial and ethnic composition of the Florida voter file against those of the 180,000 and 2,625 lists.

25. It is obvious when you examine the most basic racial and ethnic breakdowns of the sampling frame of 180,506 "potential non-citizens" compared to the supposed random draw of 2,625 individuals whose names were ultimately forwarded to the Supervisors of Elections, that it was not a random draw.

Table 1: Initial Comparison of Racial/Ethnic Composition of “Potential Non-Citizens”

Race / Ethnicity	Florida Voter File (as of December 31, 2011)		DHSMV’s List of “Approximately 180,000” “Potential Non-citizens”		FDOS’s List of 2,625 “Potential Non-citizens”	
	Number	Percent	Number	Percent	Number	Percent
American Indian or Alaskan Native	38,997	0.3%	391	0.2%	17	0.6%
Asian Or Pacific Islander	186,845	1.5%	16,001	9.0%	129	4.9%
Black, Not Hispanic	1,614,550	13.2%	31,780	17.8%	364	13.9%
Hispanic	1,600,475	13.1%	89,348	50.1%	1,482	56.5%
White, Not Hispanic	8,315,480	68.0%	26,544	14.9%	374	14.2%
Other	217,572	1.8%	2,374	1.3%	64	2.4%
Unknown (Race or Ethnicity)	258,223	2.1%	11,859	6.7%	195	7.4%
	12,232,142		178,302		2,625	

26. As I show in Table 1, there is significant variation in the racial and ethnic makeup of two lists, compared to one another as well as to the Florida voter file (as of December 31, 2011).¹⁰ Most notably, the DHSMV’s list of “approximately 180,000” “potential non-citizens” contained 50.1% Hispanics and 17.8% Black, Not Hispanics, whereas FDOS’s list of 2,625 “potential non-citizens” contained 56.5% Hispanics and 13.9% Black, Not Hispanics.

¹⁰ When merged, 98.8% of the voter identification numbers of the 180,506 “potential non-citizens” and 100% of the voter identification numbers of the 2,625 “potential non-citizens” matched voter identification numbers of individuals in the December 31, 2011 Florida voter file.

27. If a sample is not drawn randomly, so that some individuals in the sampling frame have a greater or less likelihood of being drawn into the sample than others, there is a strong likelihood that it will lead to a biased outcome.¹¹ For example, if a sample does not include the full range of observations found in the sampling frame, it may lead unfairly to some individuals having a greater likelihood than others to have their names queried by FDOS using the DHS's SAVE database, and being referred to the Supervisors of Elections to have their citizenship verified.

2. Half Of The List Of 2,625 Names Was Not Even Contained Within The Larger List Of Approximately 180,000 "Potential Non-Citizens."

28. Further investigation reveals that nearly half of the 2,625 "potential non-citizens" supposedly drawn randomly were not even in the DHSMV's original list of "approximately 180,000" "potential non-citizens."

29. Despite strong statements by Secretary of State Detzner indicating that the list of 2,625 "potential non-citizens" was drawn from the larger list of 180,000, nearly half—some 1,206 individuals—of those on FDOS's list of 2,625 "potential non-citizens" sent to the SOEs and used to query DHS's SAVE database were not even included in DHSMV's list of "approximately 180,000" "potential non-citizens." By matching the voter identification numbers of the "approximately 180,000" "potential non-citizens" with the voter identification numbers of the 2,625 "potential non-citizens," it becomes clear that a subset of 1,206 "potential non-citizens" were not generated by FDOS's joint effort with DHSMV using DHSMV's DAVE.

¹¹ See Barbara Geddes, "How the cases you choose affect the answers you get: Selection bias in comparative politics," *Political Analysis*, 2 (1990): pp. 131-150. More generally on research design, see Gary King, Robert O. Keohane, and Sidney Verba. *Designing Social Inquiry: Scientific Inference in Qualitative Research*. Princeton, NJ: Princeton University Press, 1994.

30. In my opinion, the provenance of the two subsets of the 2,625 individuals identified by FDOS as “potential non-citizens” appears to be different. The 1,206 individuals who are on the 2,625 person list but who were not included in the larger list of “approximately 180,000” “potential non-citizens” generated by DHSMV’s DAVE, are denoted in a 125KB excel file obtained from FDOS through a public records request: “DHSMV Potential Non-Citizen File A.xlsx,” created by Christopher R. Sharp on 4/18/2012 and last modified by Maria I. Matthews on 5/9/2012. The 1,419 individuals on the list of 2,625 individuals who also are included in the larger list of “approximately 180,000” “potential non-citizens” are denoted in a 216KB excel file obtained from FDOS through a public records request: “DHSMV Potential Non-Citizen File B.xlsx,” created by DOS on 5/10/2012 and last modified by Chris Cate on 5/10/2012.

31. The racial and ethnic breakdown of the lists of “potential non-citizens” once again provides a useful metric of comparison. Table 2 reveals that it is highly probable that the State used two separate lists to populate the 2,625 names FDOS sent to the SOEs as “potential non-citizens,” contrary to the claims made by public officials.

Table 2: Extended Comparison of Racial / Ethnic Composition of “Potential Non-Citizens”

Race & Ethnicity	DHSMV List of “Approximately 180,000” “Potential Non-citizens”		FDOS’s List of 1,419 “Potential Non-citizens” Included in DHSMV’s List of “Approximately 180,000”		FDOS’s List of 1,206 “Potential Non-citizens” Not Included in DHSMV’s List of “Approximately 180,000”	
	Number	Percent	Number	Percent	Number	Percent
American Indian or Alaskan Native	391	0.2%	3	0.2%	14	1.2%
Asian Or Pacific Islander	16,001	9.0%	78	5.5%	51	4.2%
Black, Not Hispanic	31,780	17.8%	83	5.8%	281	23.3%
Hispanic	89,348	50.1%	1,024	72.2%	458	38.0%
White, Not Hispanic	26,544	14.9%	142	10.0%	232	19.2%
Other	2,374	1.3%	9	0.6%	55	4.6%
Unknown (Race or Ethnicity)	11,859	6.7%	80	5.6%	115	9.5%
	178,302		1,419		1,206	

32. As shown in Table 2, Non-Hispanic Blacks are disproportionately less likely to be included in FDOS’s list of 1,419 “potential non-citizens” if they were initially included in DHSMV’s list of “approximately 180,000,” but far more likely to be in FDOS’s list of 1,206 “potential non-citizens” if they were never included in DHSMV’s list of “approximately 180,000.” Conversely, Hispanics are disproportionately more likely to be included in FDOS’s list of 1,419 “potential non-citizens” if they were initially included in DHSMV’s list of “approximately 180,000,” but are far less likely to be in FDOS’s list of 1,206 “potential non-citizens” if they were never included in DHSMV’s list of “approximately 180,000.” Thus, the reason the percentage of Hispanics on FDOS’s list of 2,625 “potential non-citizens” is only

slightly above 50% is due to the fact that the percentage of Hispanics included in FDOS's list of 1,206 "potential non-citizens"—which is of unknown provenance—is relatively low (38.0%). The percentage of Hispanics among the 1,419 individuals drawn from the 180,000 person list is far higher—and significantly higher even than the percentage of Hispanics included in the overall 180,000 person list. That raises significant concern, in my opinion, about the origin of the lists.

33. Exactly how the subset of 1,206 "potential non-citizens" who were not on the approximately 180,000 person list was populated remains a mystery to me. As for the 1,419 individuals who were on the 180,000 person list, it is equally mysterious how FDOS pared DHSMV's DAVE-generated list of "approximately 180,000" down to 1,419 individuals it suspected as being "potential non-citizens." Why did FDOS settle on 1,419 names, which is roughly eight-tenths of 1 percent (.8%) of 180,506. Why didn't FDOS just randomly draw 1% for its random sample? Or generate a 10% sample? Or, alternatively, randomly sample 1,500 names?

34. Because, as Table 2 clearly reveals, the selection was clearly not done randomly (as most clearly evidenced by the disproportionately high number of Hispanics on FDOS's list who were among those identified by DHSMV's DAVE), in my opinion it is questionable how reliable and systematic FDOS's methods are in identifying future "potential non-citizens" to be queried using DHS's SAVE database.

III. A Systematic Purge Executed In Such A Short Time Frame Will Inevitably Be Flawed.

35. In my opinion, based on my examination of various lists of “potential non-citizens” produced by FDOS, there is good reason to believe that FDOS is identifying individuals for further scrutiny in ways that are not fully transparent nor in accordance with its own stated protocol.

36. Because of the questionable methods FDOS has used for more than one year to systematically identify “potential non-citizens,” problems are likely only to be exacerbated under the tight timeframe in the waning weeks leading up to the 2012 General Elections. In my opinion, as I have shown, FDOS has not been forthcoming in how it generated its list of 2,625 “potential non-citizens.” Indeed, as I detail above, it remains unclear from what database(s) and by what means nearly half of the 2,625 “potential non-citizens” were systematically identified by FDOS. As such, if the past is any precedence, I have little reason to believe that any future systematic efforts by FDOS to query DHS’s SAVE database using individuals it already has identified as “potential non-citizens,” or that FDOS may subsequently identify, will be transparent or reliable.

37. Indeed, FDOS’s previous effort to have the SOEs purge the 2,625 individuals it identified as “potential non-citizens” was neither transparent nor reliable. FDOS has claimed that its efforts led SOEs to purge 107 registered voters from the state’s voter rolls between April 11 and June 7, 2012, on account of being non-citizens.¹² That is a small fraction of the 2,626. And, a closer look at the data reveals that a majority of the 107 “potential non-citizens” who were

¹² DOS’s figure of 107 non-citizens purged by SOEs is contained in an Excel file labeled “6.14.2012 Voters Removed for Being a NonCitizen.xls,” which was created by FDOS and received as a public records request from Chris Cate on June 19, 2012. In an interview with *CNN* on June 12, 2012, Governor Scott said the state had identified “almost 100 individuals” who were registered to vote but who were not citizens. See Kevin Liptak, “After DOJ sues, Florida governor says 100 illegal voters justifies ‘purge,’” *CNN*, June 12, 2012. Available at <http://politicalticker.blogs.cnn.com/2012/06/12/after-doj-sues-florida-governor-says-100-illegal-voters-justifies-purge/> (accessed last September 18, 2012).

removed from the voter rolls were not even on FDOS's list of 2,625 "potential non-citizens" and thus likely were removed for reasons entirely unrelated to the FDOS's systematic purge. In fact, after merging the two lists using voter identification numbers, I discovered that only 41 of the 107 names identified by FDOS as having been purged were on the list of 2,625 potential non-citizens generated by FDOS.¹³ Furthermore, of the 41 registered voters (out of its list of 2,625 "potential non-citizens") who were ostensibly purged by FDOS, it appears that at most 10 actually voted based on data provided by FDOS.¹⁴ And of these 10, I have seen no evidence beyond FDOS's own assertions that they were in fact non-citizens. In my opinion, then, nothing regarding FDOS's future use of DHS's SAVE database will mitigate the number of apparent false positives generated by FDOS's flawed method to identify "potential non-citizens."

38. The inaccuracy of FDOS's first systematic purge attempt was acknowledged across the state. The Florida State Association of Supervisors of Elections communicated that they felt that

¹³ The Excel file, "6.14.2012 Voters Removed for Being a NonCitizen.xls," created by DOS on 6/7/2012 and last modified by Chris Cate on 6/14/2012, was received as a public records request from Chris Cate on June 19, 2012. Incidentally, I found no evidence that Josef Sever, a Canadian citizen who has admitted to wrongly voting in previous Florida elections, was in either FDOS's list of 2,625 "potential non-citizens," or in its larger list of "approximately 180,00" "potential non-citizens." For background on the fate of Mr. Sever, *see* Paul Koring, "Canadian the only illegal alien caught in U.S. fake-voter dragnet," *The Globe and Mail*, September 10, 2012. Available at <http://www.theglobeandmail.com/news/world/us-election/canadian-the-only-illegal-alien-caught-in-us-fake-voter-draget/article4531032/> (accessed last September 18, 2012).

¹⁴ DOS's Excel file labeled "6.14.2012 Voters Removed for Being a NonCitizen.xls," column G ("LAST VOTE HISTORY") indicates the most recent date FDOS determined someone on the list cast a ballot. According to the Excel spreadsheet, FDOS had no information ("N/A" or "?") on the past voting history of 51 of the 107 individuals on the list, and indicated the last vote history for 18 individuals was "PRE-2006."

the information they were given was neither credible nor reliable, particularly as numerous voters on FDOS's list actually turned out to be citizens.¹⁵

39. The experience of the SOE in Miami-Dade County clearly demonstrates the extent of the list's inaccuracy. FDOS identified roughly 1,600 individuals residing in Miami-Dade county as "potential non-citizens." The Miami-Dade SOE sent letters to most of these individuals, notifying them that they would be removed within 30 days of the notice unless they proved that they were United States citizens. Of those more than 1,500 individuals noticed, a total of 562 people responded, 514 of which presented evidence that they were, in fact, citizens. Another 35 voters responded denying ineligibility, but did not provide affirmative proof. Only 14 voters admitted ineligibility.¹⁶

40. The inaccuracies in FDOS's "potential non-citizen" list sent to the SOEs ultimately led FDOS to stop its initial purge efforts based on the list of 2,625 names.¹⁷

41. Despite the fact that the initial purge attempt based on the smaller list of 2,625 "potential non-citizens" turned out to be highly problematic due to its inaccuracies, FDOS has stated that it will now resume its systematic purge using the SAVE database. The system they are now implementing appears to be based on a compilation of names collected in some manner similar to

¹⁵ Robbie Brown, "Florida Halts Its Search for Violations of Voter Law," *New York Times*, A13 (June 9, 2012). Available at <http://www.nytimes.com/2012/06/09/us/politics/florida-stops-search-for-ineligible-voters-on-list.html> (accessed last September 18, 2012).

¹⁶ List of potential Miami-Dade non-citizens, received as an Excel file "noncitizenlistfromDade.xlsx," created by Michelle McClain, as a forwarded public records request from Miami-Dade County Supervisor of Elections on June 1, 2012.

¹⁷ Robbie Brown, "Florida Halts Its Search for Violations of Voter Law."

the way FDOS compiled the lists of 2,625 names and the list of “approximately 180,000.”¹⁸ In my opinion, there is little reason to believe that the problems inherent in these existing lists will have been remedied as FDOS moves forward in this newest attempt at a systematic purge.

42. Future efforts by FDOS to use DHS’s SAVE database, in my opinion, may continue to lead to numerous false positives, which will result in FDOS continuing to wrongly identify legally registered voters as “potential non-citizens.” Proper utilization of DHS’s SAVE database necessitates FDOS entering the correct Alien Identification Number (“A-Number”) for a registered voter it suspects of being a “non-citizen.”¹⁹ Unfortunately, there is a chance that an individual’s A-Number will be “mismatched” with that of another individual. It is quite possible that two people in the state of Florida will have the same name and the same birthday. (Indeed, Florida Governor Richard Lynn Scott, born on December 1, 1952, was purged from the Collier County voter rolls in 2006 after being mistaken for Richard E. Scott, who had died.)²⁰ Thus, when FDOS matches the statewide voter roll against the DHSMV-DAVE registry, that may be a

¹⁸ Lynn Hatter, “Florida Moves Forward with Voter Purge After Feds Grant Access to Database,” *WFSU*, August 16, 2012. Available at <http://news.wfsu.org/post/florida-moves-forward-voter-purge-after-feds-grant-access-database> (accessed last August 30, 2012).

¹⁹ The SAVE database collects information only from government agencies involved in immigration services, in an effort to help verify the status of non-citizens and naturalized citizens. Individuals in the database will have been assigned a unique A-Number in connection with their immigration applications. Native-born U.S. citizens are not subject to SAVE verification and would not have an A-Number. U.S. Dept. of Homeland Security, Privacy Impact Assessment for the Systematic Alien Verification for Entitlements (SAVE) Program, Aug. 26, 2011, p. 3, available at http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_uscis_save.pdf (accessed last Sept. 19, 2012).

²⁰ Marc Caputo, “Florida voters roll listed Gov. Rick Scott as dead in 2006,” *Miami Herald*, June 15, 2012. Available at <http://www.miamiherald.com/2012/06/15/2850710/florida-voter-roll-listed-gov.html#storylink=cpy> (accessed last September 18, 2012).

mismatch: a citizen who is legally registered to vote could be wrongly mistaken for a non-citizen.²¹ The A-number of the non-citizen might then be incorrectly assigned to the legally registered citizen. The ensuing SAVE database search with DHS, using the name and date of birth of the legally registered citizen, but also using the incorrect A number, would generate a false positive, resulting in the legally registered citizen to be slated for removal from the voter rolls.

43. In my opinion, then, drawing on my knowledge of previous systematic efforts by FDOS to remove legitimately registered voters from the voter file, FDOS's last-minute endeavor may very well result in a number of false positives, with legally registered voters wrongly purged from the voter rolls. Prior to the 2000 presidential election, for example, FDOS had contracted with Database Technologies Inc. to cross-check the names of the state's 8.6 million registered voters with law enforcement and other records. Due to flawed data matching methods, however, the systematic effort resulted in FDOS misidentifying (and purging) thousands of legitimate registered voters.²²

44. Similarly, prior to the 2004 election, the Florida Division of Elections erroneously attempted to purge approximately 48,000 voters based on supposed felony convictions. The database matching process used for that systematic purge, however, failed to account for differences between how the databases categorized the race of Hispanic individuals. The purge was abandoned after voting rights groups highlighted the suspect correlation between

²¹ In any substantial pool of individuals, it is quite common to find two people who share the same name and date of birth. See Michael P. McDonald and Justin Levitt, "Seeing Double Voting: An Extension of the Birthday Problem," *Election Law Journal* 7 (2008): 111-22.

²² Lisa Getter, "Florida Net Too Wide in Purge of Voter Rolls," *The Los Angeles Times*, May 21, 2012. Available at <http://articles.latimes.com/2001/may/21/news/mn-620> (last accessed September 18, 2012).

the disparate treatment of African-Americans and Hispanics and the prevailing voting patterns of those groups.²³ Similarly, Florida's 2005 "no-match, no-vote" law, which was enforced prior to the 2006 and 2008 General Elections, may have prevented thousands of registered voters from casting regular ballots because FDOS was not able to match information on their voter registration cards with DHSMV or Social Security records. A disproportionate number of citizens identified under the no-match, no-vote law were racial and ethnic minorities.²⁴ Indeed, Secretary Detzner's predecessor, Kurt Browning, refused to implement the results of previous attempts by the State to create lists of "potential non-citizens" because of their unreliability.²⁵

45. Moreover, the problems inherent with a short timeframe for a systematic purge will only exacerbate the disproportionate and inconsistent application of the purge to racial minorities. As shown in Tables 1 and 2, racial minorities are disproportionately represented on the list of 2,625 "potential non-citizens." It is important to note that FDOS is using this list of 2,625 supposedly derived from the larger list of "approximately 180,000" "potential non-citizens" in its ongoing effort to use DHS's SAVE database to identify to identify potential non-citizens. Indeed, on September 12, 2012, following the "Stipulation of the Parties" regarding certain claims at issue in *Arcia et al. v.*

²³ Myrna Perez, "Voting Purges," *Brennan Center Report*, September 30, 2008. Available at http://brennan.3cdn.net/5de1bb5cbe2c40cb0c_s0m6bqskv.pdf (accessed last September 18, 2012).

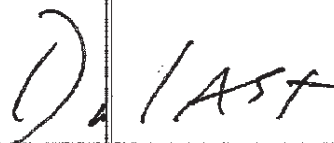
²⁴ Steve Bousquet, "12,165 now on Florida's 'no match' vote list," *Tampa Bay Times*, October 28, 2008. Available at <http://www.tampabay.com/news/politics/state/article877094.ece> (last accessed September 18, 2012).

²⁵ Gary Fineout, "Scott Began Move to Purge Names From Voters Roll," *The Ledger*, May 22, 2012, available at <http://www.theledger.com/article/20120522/POLITICS/120529831> (accessed last September 19, 2012).

Detzner, a FDOS press release reiterated that FDOS employees “have been checking the legal status of 2,625 potential non-citizens whose names were provided to supervisors of elections in April.”²⁶

46. In my opinion, given FDOS’s misrepresentations, its flawed methodology, and the disproportionate inclusion of racial minorities in the purge lists, FDOS’s and the SOEs’ ability to conduct the purge before the November 6, 2012 election without introducing serious errors is questionable, at best.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this the 24 day of September, 2012.



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²⁶ Florida Department of State Press Office, “Florida’s Voter Eligibility Initiative Confirms 207 Non-citizens on Voter Rolls Using SAVE Database, Around 8 Percent of Voters Checked,” September 12, 2012 (email sent by DOSPressOffice@dos.myflorida.com at 2:46 PM).

Attachment 1

4 September 2012

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EDUCATION

University of Wisconsin-Madison

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Major Fields: American Politics, Political Theory, and Public Policy

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M.A., Political Science, 1989

The Pennsylvania State University

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ACADEMIC EMPLOYMENT

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Affiliate Professor, Center for African Studies, 2010-

Internship Coordinator, Department of Political Science, 2005-

Associate Professor (with tenure), Department of Political Science, 2003-2010

Affiliate Associate Professor, Center for African Studies, 2008-09

University of Denver

Associate Professor (with tenure), Department of Political Science, 2000-2003

Assistant Professor, Department of Political Science, 1994-2000

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University of Ghana at Legon

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West Virginia University

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Project Assistant, Department of Political Science, 1989-1990

RESEARCH FELLOWSHIPS

Research Associate, *Ghana Center for Democratic Development (CDD-Ghana)*, Accra, Ghana, Fall 2011.

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AREAS OF SPECIALIZATION

American State Politics

Direct Democracy (Ballot Initiatives and Referendums)

Voting and Elections (Political Campaigns, Campaign Finance, Voting Rights, Redistricting)

American Institutions (Political Parties and Interest Groups)

Politics and Elections of Ghana

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- 15) Daniel A. Smith. 2008. "Direct Democracy and Campaigns," in Shaun Bowler and Amihai Glazer, eds., *Direct Democracy's Impact on American Political Institutions*. New York: Palgrave.
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BOOK REVIEWS & REVIEW ESSAYS

- 9) Daniel A. Smith. 2008. Review of Dorothy Holland, Donald M. Nonini, Catherine Lutz, Lesley Bartlett, Marla Frederick-McGlathery, Thaddeus C. Gulbrandsen, and Enrique G. Murillo, Jr., Local Democracy Under Siege: Activism, Public Interests, and Private Politics, *Perspectives on Politics* 6: 386-86.
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- 5) Daniel A. Smith. 1999. Review of Shaun Bowler, Todd Donovan, Caroline Tolbert, eds., Citizens as Legislators, *American Political Science Review* 93: 446-447.
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- 3) Daniel A. Smith. 1998. Review of Grant Reeher and Joseph Cammarano, eds., Education for Citizenship, *H-Pol, H-Net*. (February).
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MANUSCRIPTS UNDER REVIEW OR IN PROGRESS

- Daniel A. Smith, Caroline Tolbert, and Amanda Keller. "The Focusing Effects of Direct Democracy on Political Interest and Participation: A Panel Study of the 2008 Election."
- Matthew Harrigan and Daniel A. Smith, "Pledging Democracy: Congressional Support for a National Advisory Initiative and Referendum."
- Joshua Broadbeck, Matthew Harrigan, and Daniel A. Smith. "Citizen and Lobbyist Access to Members of Congress: Who Gets and Who Gives?"
- Daniel Cienia and Daniel A. Smith, "Delegating War Powers to Citizens? Congressional Support for the 1938 Ludlow Amendment."
- Daniel A. Smith, Diana Forster, and Brian Amos. "Engaging Potential Voters? The Collection of Valid Signatures on Ballot Petitions."
- Daniel A. Smith. "The Legislative Regulation of the Initiative."
- Caroline Tolbert, Daniel Bowen, and Daniel A. Smith, "Trusting Direct Democracy."
- William Hicks and Daniel A. Smith. "Divided Government and Legislative Productivity in the American States."
- Daniel A. Smith, Todd Donovan, and Caroline Tolbert. "Partisanship, Ballot Propositions, and Candidate Voting."

RESEARCH GRANTS, HONORS, AND AWARDS

- Co-Principal Investigator, "Trans-Saharan Professionals Program," United States Department of State, Bureau of Educational and Cultural Affairs, S-ECAPPE-10-GR-231 (DT) (\$648,573), September 2010-August 2012.

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University of Florida Research Foundation (UFRF) Professor, 2010-2012 (annual salary supplement and research funding).

Co-Principal Investigator, *American Political Science Association* Workshop on Elections and Democracy, University of Ghana at Legon, Ghana, Summer 2009, funded by Mellon Foundation.

Best Paper Award presented in 2006 by the APSA Organized Section on State Politics and Policy: "Do State-Level Ballot Measures Affect Presidential Elections?" American Political Science Association Conference, Washington, D.C., September 1-4, 2005 (with Caroline Tolbert and Todd Donovan).

Research Grant, "Did Gay Marriage Re-Elect George W. Bush?" University of Florida, College of Liberal Arts & Sciences, Summer 2005.

University Scholars Program Grant (with Kirsten Soltis), University of Florida, College of Liberal Arts & Sciences, "Money and the Member: An Analysis of Fundraising in Congressional Politics in the Post-Campaign Finance Reform Era," Fall 2005.

Research Grant, "Mobilization Effects of Ballot Measures in Colorado, Florida, Ohio, and Nevada," Ballot Initiative Strategy Center, Fall 2004.

Research Grant, "Mobilization Effects of Gay Marriage Ban in Ohio," Ballot Initiative Strategy Center, Fall 2004.

Research and Travel Grant, *Pew Charitable Trusts*, "Veiled Political Actors," Daniel Lowenstein, Kim Alexander, Robert Stern, Tracy Western, and Joseph Doherty, Principle Investigators, Fall 2003.

Travel Grant, *College of Liberal Arts and Sciences*, University of Florida, "Initiative and Referendum Campaigns," Fall 2003.

Research Grant, *Pew Charitable Trusts*, "Outside Money: Colorado's 7th Congressional District," David Magleby, Principal Investigator, Fall 2002.

Faculty Research Fund, "Ballot Initiatives during the Progressive Era," *University of Denver*, Fall 2002.

Research Grant, *American Political Science Association*, "Ballot Initiatives during the Progressive Era: Evidence from California, 1912-1920," Summer 2002.

Research Grant, *Colorado Endowment for the Humanities*, "The 'Golden Era' of Direct Democracy? Colorado's Election of 1912," (R017-0300-010) (with Joseph Lubinski), Spring 2000.

Partners in Scholarship: 2000 Winter Quarter Project Proposal, "The 'Golden Era' of Direct Democracy? Evidence from the Colorado Election of 1912," *University of Denver*, with Joseph Lubinski).

Rosenberry Fund, "Direct Democracy in Colorado," *University of Denver*, Spring 1999.

Best Paper, Charles Redd Politics of the American West, "Howard Jarvis, Populist Entrepreneur: Reevaluating Causes of Proposition 13," *Western Political Science Association*, Los Angeles, March 20, 1998.

Faculty Research Fund, "Ballot Warriors: Citizen Initiatives in the 1990s," *University of Denver*, Fall 1997.

Partners in Scholarship: 1997 Winter Quarter Project Proposal, "The Process of Direct Democracy: Parental Rights Amendment," *University of Denver*, with Robert Herrington, Winter 1997.

Faculty Research Fund, "Faux Populism: Populist Entrepreneurs and Populist Moments," *University of Denver*, Fall 1996.

International Small Grants, "Election Monitor: Ghana Presidential and Parliamentary 1996 Elections," Office of Internationalization, *University of Denver*, Fall 1996.

Faculty Research Fund, "Populist Prophets and the Mass Appeal of Direct Democracy," Program Support Services, *University of Denver*, Spring 1995.

Research Grant, Institute for Public Affairs, *West Virginia University*, Summer 1994.

Senate Research Travel Grant, Faculty Development Fund, *West Virginia University*, Fall 1994.

Research Travel Grant, Robert LaFollette Institute of Public Affairs, *University of Wisconsin-Madison*, Fall 1992.

CONSULTANT/EXPERT WITNESS

Domestic

Expert (written affidavit), *Brown v. Detzner* 3:12-cv-00852 (US District Court for the Middle District of Florida) [Provided empirical analysis of minority early voting in Duval County during the 2008 and 2010 general elections, and the 2011 Jacksonville mayoral race], 2012.

Expert (written affidavit), *Romo v. Scott*, No. 2012-CA-000412 (Fla. Cir. Ct., Leon County). [Provided empirical analysis of new Congressional redistricting maps submitted and adopted by the Florida legislature as well as alternative maps submitted by the The League of Women Voters of Florida, the National Council of La

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- Raza, and Common Cause Florida], 2012.
- Consultant (written work product), *In re 2012 Joint Resolution of Apportionment*, No. SC12-1 (Fla. Sup. Ct.). [Provided empirical analysis of new state House and Senate redistricting maps submitted and adopted by the Florida legislature as well as alternative maps submitted by the The League of Women Voters of Florida, the National Council of La Raza, and Common Cause Florida], 2012.
- Pro Bono* Consultant (written work product), *League of Women Voters of FL v. Browning*, N.D. Fla. (4:11-cv-00628). [Provided empirical analysis to plaintiff's attorneys (Brennan Center, New York University), assessing the impact of Florida's "third party organization" voter registration requirements], 2012.
- Pro Bono* Consultant (written work product), Hillsborough Hispanic Coalition, Tampa, Florida, 2012. [Provided empirical analysis of the likely racial/ethnic impact of the redistricting maps adopted by the Hillsborough County Commission, and provided alternative maps to be submitted by the Hillsborough Hispanic Coalition, in anticipation of federal litigation], 2012.
- Pro Bono* Consultant, "Howard Jarvis and the Birth of the Tax Revolt," Documentary Film by Jason Cohn, Bread and Butter Films [Provided background on antecedents of Prop. 13], 2011-12.
- Expert (written affidavit), *Worley v. Detzner*, U.S. District Court, N.D. Fla (4:10-cv-00423-RH-WCS). [Provided expert opinion to Florida Secretary of State to help defend Election code provisions concerning the reporting, registration, and disclosure requirements applicable to political committees (ballot issues)], 2010.
- Expert (written affidavit), *Citizens Against Slots v. PPE Casino*, 999 A.2nd 181 (2010) 415 Md. 117. [Provided empirical analysis of the validity rates of the signatures submitted for a county popular referendum], 2010.
- Expert (written affidavit), *The Independence Institute, et. al. v. Bernie Buescher* 1:2010-cv-00609. (US 10th Circuit) [Provided empirical analysis for the Office of the Colorado Attorney General to defend the public disclosure laws on ballot issue committees], 2010.
- Lead Author, "Direct Democracy Scholars" Amicus Brief, *Doe v. Reed*, 132 S. Ct. 449. [Provided empirical evidence that public disclosure of signatures on ballot measures serves sufficiently important governmental interests in order to prevent fraudulent signature gathering activities, to limit the deceptive solicitation of signatures, and to provide information to voters about ballot measures], 2010.
- Expert (written affidavit), *Dallman, et al. v. William Ritter and Rich L. Gonzales and Daniel Ritchie, et al* 09SA224 (Colorado Supreme Court) [Provided empirical analysis of campaign financing of ballot measures], 2009-10.
- Expert (written affidavit), *Sampson v. Buescher*, 08-1389, 08-1415 (US 10th Circuit) [Provided empirical analysis refuting claims of barriers to participation in ballot issue campaigns for Office of the Colorado Attorney General], 2007-10.
- Consultant, *Trust the Voters*, Tallahassee, 2006.
- Consultant, *The Washington State Patrol Troopers Association* [Conducted empirical analysis of the validity of signatures collected on ballot issue campaign], 2006.
- Expert (written affidavit), *The City of Winter Springs, FL v. Seminole County*, City of Winter Springs, 2004.
- Expert (written affidavit), *California Pro-Life Council, Inc. v. Karen Getman, et al.* 328 F.3d 1088, 1101 (US 9th Cir) [Provided empirical analysis for the Office of the California Attorney General on veiled political actors in California ballot measure campaigns], 2004-05.
- Expert (written affidavit), *Colorado Right to Life Committee, Inc. v. Donetta Davidson* 395 F.Supp.2d 1001 (US 10th Circuit) [Provided empirical analysis of broadcasted television and direct mail ads in Colorado, 1999-2003 for the Office of the Colorado Attorney General], 2004-05.
- Expert Witness, Ballot Initiative Reform, Florida Legislature, 2002; 2003-05.
- Expert Witness, Ballot Initiative Reform, Colorado Legislature, 1999-2000.
- Consultant, *Ad Hoc Committee to Defend Health Care*, Denver, CO, 1998-2000.

International

- Expert Testimony, *British House of Lords*, Constitution Committee (Direct Democracy), 2010.
- Consultant, *Institute of International Education (IIE)*, New York, 2002-04.
- Consultant, *Coalition of Domestic Elections Observers (CODEO)*, Accra, Ghana, 2000-01.
- Consultant, *International Foundation for Election Systems (IFES)*, Washington, DC, 1999-2001.

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Consultant, *International Student Exchange Program (ISEP)*, Washington, DC, 1995-97.

COURSES TAUGHT

Intro to American Politics (Undergrad)	State and Local Government (Undergrad)
Interest Group Politics (Undergrad)	Political Parties (Grad & Undergrad)
Direct Democracy (Grad & Undergrad)	Politics of Campaign Finance (Grad & Undergrad)
Urban Politics (Undergrad)	Problems of Markets and Governments (Undergrad)
Politics of Reform (Grad)	Intro to Politics (Foundations of Political Thought)

TEACHING GRANTS, HONORS, AND AWARDS

Political Science Board of Advisors, "Outstanding Professor Award," *University of Florida*, Spring 2008.

Center for Teaching and Learning Technology Grant, "Introduction to American Politics: Web-Based Interactive Learning," *University of Denver*, Spring, 1997.

Faculty Appreciation Award, Learning Effectiveness Program, *University of Denver*, April 1997.

Curriculum Diversity Grant, "A Theater History: The Racial and Class Politics of US Drama from Colonization Forward," *University of Denver*, Winter, 1997.

CORE Development Grant, "Drama of Politics/Politics of Drama," *University of Denver*, Summer, 1996.

International Small Grants, "Summer Student Study Abroad Program: University of Ghana at Legon," Office of Internationalization, *University of Denver*, Spring, 1995.

International Small Grants, "Ghana Study Abroad Program," Office of Internationalization, *University of Denver*, Spring, 1995.

NEWSPAPER OP-EDS & LETTERS TO THE EDITOR

Op-Ed, "Voters need to push back against corporate cash," *St. Petersburg Times*, July 13, 2010.

Op-Ed, "A chance for Floridians to redraw rigged districts," *St. Petersburg Times*, November 25, 2009.

Op-Ed, "Lawmakers don't trust voters with the constitution," *Gainesville Sun*, October 21, 2006.

Op-Ed, "Jeb Bush's secret-squirrel hunt? Rocky, that's just a bunch of Bullwinkle," *Orlando Sentinel*, February 23, 2006.

Op-Ed, "Colorado: Independent of Whom?" Ballot Initiative Strategy Center, *Ballot Blog*, August 29, 2005.

Op-Ed, "Stop Political Fund-Raising Arm," *Gainesville Sun*, April 25, 2004 (with Nicole M. James).

Op-Ed, "Committees Hold the Secret to Campaign Financing," *St. Petersburg Times*, April 10, 2004 (with Nicole M. James).

Letter, "Reform Ballot Initiative and Preserve the People's Power," *Miami Herald*, February 29, 2004.

Op-Ed, "No: The Rich Have Taken Over," *Denver Post*, December 1, 2002.

Op-Ed, "The Millionaire's Club: Why Leave Ballot Initiatives to the Rich?" *Denver Post*, August 18, 2002.

Op-Ed, "The Political Consequence of 'Praying for Peace,'" *The Crusading Guide* [Accra, Ghana], 12-18 October, 2000.

Letter, "Book's [*Democracy Derailed* by David Broder] premise is problematic," *Denver Post*, May 28, 2000.

Letter, "Initiative process ignores rural voices," *Denver Rocky Mountain News*, March 15, 2000.

Op-Ed, "Progressives need to show initiative on ballot signatures," *Denver Post*, January 13, 2000.

Op-Ed, "Colorado should put campaign finance data on the Internet," *Denver Post*, November 4, 1998 (with Richard Braunstein).

Letter, "Follow the Money," *Washington Post*, October 12, 1998.

Op-Ed, "Voters behind rule," *Denver Post*, June 21, 1998.

Op-Ed, "Founders crafted safeguards against popular excesses," *Denver Post*, May 21, 1995.

CONFERENCE PAPER PRESENTATIONS

"Who Registers? The Differential Impact of Florida's House Bill 1355 on Voter Registration," American Political Science Association Conference, New Orleans, August 30-September 2, 2012 (with Michael Herron).

"The Participatory Impact of Truncating Early Voting in Florida," State Politics and Policy Quarterly 12th annual

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- conference, Rice University, Houston, TX, February 16 – February 18, 2012 (with Michael Herron).
- “Engaging Potential Voters? The Collection of Valid Signatures on Ballot Petitions,” State Politics and Policy Quarterly 11th annual conference, Dartmouth University, June 4-6, 2011 (with Diana Forster).
- “Pledging Democracy: Congressional Support for a National Advisory Initiative and Referendum,” Southern Political Science Association, January 5-8, 2011, New Orleans (presented by Matthew Harrigan).
- “We Know What You Did Last Summer: The Impact of Petition Signing on Voter Turnout,” State Politics and Policy Quarterly 10th annual conference, University of Illinois, Springfield, June 5-6, 2010 (with Janine Parry and Shayne Henry).
- “Reassessing Direct Democracy and Civic Engagement: A Panel Study of the 2008 Election,” State Politics and Policy Quarterly 10th annual conference, University of Illinois, Springfield, June 5-6, 2010 (with Caroline J. Tolbert and Amanda Frost).
- “Generating Scholarship from Public Service: Media Work, Nonprofit Foundation Service, and Legal Expert Consulting,” State Politics and Policy Quarterly 10th annual conference, University of Illinois, Springfield, June 5-6, 2010.
- “Obama to Blame: Minority Surge Voters and the Ban on Same-Sex Marriage in Florida,” American Political Science Association Conference, Toronto, September 2-5, 2009 (with Stephanie Slade).
- “State Context and Support for a National Referendum in the U.S.” State Politics and Policy Quarterly 9th annual conference, UNC Chapel Hill/Duke University, May 22-23, 2009 (with Caroline J. Tolbert and Amanda Frost).
- “Direct Democracy, Opinion Formation, and Candidate Choice,” American Political Science Association Conference, Boston, August 2008 (with Caroline J. Tolbert).
- “The Legislative Regulation of the Initiative,” State Politics and Policy Quarterly 8th annual conference, Temple University, Philadelphia, PA, May 30-31, 2008.
- “The Initiative to Shirk? The Effects of Ballot Measures on Congressional Voting Behavior,” State Politics and Policy Quarterly 8th annual conference, Temple University, Philadelphia, PA, May 30-31, 2008 (with Josh Huder and Jordan Ragusa).
- “Participatory-Based Trust? Political Trust and Direct Democracy,” American Political Science Association Conference, Chicago, August 2007 (with Caroline J. Tolbert and Daniel Bowen).
- “Giving Power to the People: The Adoption of Direct Democracy in the American States,” Western Political Science Association Conference, Las Vegas, NV, March 7-9, 2007 (with Dustin Fridkin).
- “Mass Support for Redistricting Reform: District and Statewide Representational Winners and Losers,” State Politics and Policy Quarterly 7th annual conference, Austin, TX, February 22-24, 2007 (with Caroline J. Tolbert and John C. Green).
- “Mass Support for Redistricting Reform: Partisanship and Representational Winners and Losers,” American Political Science Association Conference, Philadelphia, August 2006 (with Caroline J. Tolbert and John C. Green).
- “Gaming the System: The Effect of BCRA on State Party Finance Activities.” *The State of the Parties: 2004 & Beyond*. Ray C. Bliss Institute for Applied Politics, Akron, OH, October 2005 (with Susan Orr).
- “Do State-Level Ballot Measures Affect Presidential Elections?” *American Political Science Association Conference*, Washington, D.C., September 1-4, 2005 (with Caroline Tolbert and Todd Donovan).
- “Did Gay Marriage Elect George W. Bush?” *Fifth Annual Conference on State Politics and Policy*, Michigan State University, East Lansing, MI, May 13-14, 2005 (with Todd Donovan, Caroline Tolbert, and Janine Parry).
- “Was Rove Right? Evangelicals and the Impact of Gay Marriage in the 2004 Election.” *Fifth Annual Conference on State Politics and Policy*, Michigan State University, East Lansing, MI, May 13-14, 2005 (with Matt DeSantis and Jason Kassel).
- “Partisanship, Direct Democracy, and Candidate Choice,” *Midwest Political Science Association Conference*, Chicago, IL, April 7-10, 2005 (with Caroline Tolbert and Todd Donovan).
- “Did Gay Marriage Elect the President? Mobilizing Effects of Ballot Measures in the 2004 Election,” *Western Political Science Association Conference*, Oakland, CA, March 17-19, 2005 (with Todd Donovan and Caroline Tolbert).
- “Initiatives and Referendums: The Effects of Direct Democracy on Candidate Elections,” Conference on *What We Know and Don't Know about Campaigns and Elections*, Graduate Program in Political Campaigning, University of Florida, Gainesville, FL, February 24-5, 2005.

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- "Was Rove Right? The Partisan Wedge and Turnout Effects of Issue 1, Ohio's 2004 Ballot Initiative to Ban Gay Marriage," *University of California Center for the Study of Democracy/USC-Caltech Center for the Study of Law and Politics/Initiative and Referendum Institute Conference*, Newport Beach, CA, January 14-15, 2005.
- "The Educative Effects of Direct Democracy on Voter Turnout," *American Political Science Association Conference*, Chicago, IL, September 1-5, 2004 (with Caroline Tolbert).
- "Turning On and Turning Out: Assessing the Indirect Effects of Ballot Measures on Voter Participation," *Fourth Annual Conference on State Politics and Policy*, Kent State University, Kent, OH, April 30-May 2, 2004 (with Todd Donovan).
- "Veiled Political Actors: The Real Threat to Campaign Finance Disclosure Statutes?" *Midwest Political Science Association Conference*, Chicago, April 14-18, 2004 (with Elizabeth Garrett).
- "Elephants, Umbrellas, and Quarrelling Cocks: Disaggregating Party Identification in Ghana's Fourth Republic," *Western Political Science Association Conference*, Portland, OR, March 11-13, 2004 (with Kevin Fridy).
- "Gaming the System: State Party Finance Activities in Colorado and Florida," *Southern Political Science Association Conference*, New Orleans, January 7-10, 2004.
- "The Educative Effects of Direct Democracy: Ballot Campaigns and Civic Engagement in the American States," *Societa Italiana di Studi Elettorali (SISE) VIIIth International Conference on Electoral Campaigns (Initiative and Referendum)*, Venice, Italy, December 18-20, 2003.
- "In the Wake of Prop. 13," *American Political Science Association Conference*, Philadelphia, PA, August 27-31, 2003.
- "Soft Money and Issue Advocacy in the 2002 Colorado 7th Congressional District Election," *Western Political Science Association Conference*, Denver, CO, March 26-30, 2003.
- "Educated by Initiative: Direct Democracy and Civic Engagement in the American States," *Third Annual Conference on State Politics and Policy*, University of Arizona, Tucson, AZ, March 14-15, 2003 (with Caroline Tolbert).
- "Ballot Initiatives and the (Sub)Urban/Rural Divide in Colorado," *Colorado's Future: How Can We Meet the Needs of a Changing State?* University of Colorado at Colorado Springs, September 27, 2002.
- "Representation and the Spatial Dimension of Direct Democracy," *American Political Science Association Conference*, Boston, MA, August 29-September 1, 2002.
- "Representation and the Spatial Bias of Direct Democracy," *Second Annual Conference on State Politics and Policy*, University of Wisconsin-Milwaukee, Milwaukee, WI, May 24-25, 2002.
- "Minority Rights and the Spatial Bias of Direct Democracy," *Southwestern Political Science Association Conference*, New Orleans, LA, March 27-30, 2002.
- "Representation and the Urban Bias of Direct Democracy," *Western Political Science Association Conference*, Long Beach, CA, March 21-24 2002.
- "Ghost Busters: The Structural Underpinnings and Politics of Ghana's 2000 Elections," *African Studies Association Conference*, Houston, TX, November 15-18, 2001.
- "The Effect of Ballot Initiatives on Voter Turnout," *American Political Science Association Conference*, Washington, DC, August 31-September 3, 2000 (with Caroline Tolbert and John Grummel).
- "Campaign Finance of Ballot Initiatives," *National Direct Democracy Conference*, University of Virginia's Center for Governmental Studies, Charlottesville, VA, June 8-9, 2000.
- "Meet the Authors Roundtable: Recent Books on Direct Democracy in the States," *Midwest Political Science Association Conference*, Chicago, April 27-30, 2000.
- "Counter-Majoritarian Bills and Legislative Response of State Ballot Initiatives," *Western Political Science Association Conference*, San Jose, March 24-26, 2000.
- "The Gun Behind the Door Fires Blanks," *Pacific Northwest Political Science Association Conference*, Eugene, OR, October 14-16, 1999.
- "Orange Crush: Mobilization of Bias, Ballot Initiatives, and the Politics of Professional Sports Stadia," *American Political Science Association Conference*, Atlanta, September 2-5, 1999 (with Sure Log).
- "Direct Democracy in Colorado: Limited Information, Tough Choices," *A Century of Citizen Lawmaking: Initiative and Referendum in America*, *Initiative and Referendum Institute*, Washington, D.C., May 6-8, 1999.
- "The Initiative to Party: The Role of Political Parties in State Ballot Measures," *Western Political Science Association Conference*, Seattle, March 25-28, 1999.
- "Direct Democracy in the Late 20th Century: The Legacy(ies) of Prop. 13," Roundtable, *American Political Science Association Conference*, Boston, September 3-6, 1998.

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- "The Legacy of Howard Jarvis and Proposition 13? Tax Limitation Initiatives in 1996," *Western Political Science Association Conference*, Los Angeles, March 19-21, 1998.
- "Special Interests and the Initiative Process in Colorado: The Case of the Parental Rights Amendment" (with Robert Herrington), Poster Session, *American Political Science Association Conference*, Washington, D.C., August 28-31, 1997.
- "Howard Jarvis, Populist Entrepreneur: Reevaluating Causes of Proposition 13," *Western Political Science Association Conference*, Tucson, March 13-15, 1997.
- "Guided Immersion: A Non-Traditional Study Abroad Program at the University of Ghana at Legon," *Midwest Political Science Association Conference*, Chicago, April 10-12, 1997.
- "Exploring the Political Dimension of Privatization: A Tale of Two Cities" (with Kevin Leyden), *Midwest Political Science Association Conference*, Chicago, April 18-20, 1996.
- "Populist Entrepreneur: Douglas Bruce and the Tax Limitation Movement in Colorado," *20th Annual Interdisciplinary Symposium of the Politics and Culture of the Great Plains*, Lincoln, April 11-13, 1996.
- "Faux Populism: Douglas Bruce and the Anti-Tax Moment in Colorado, 1986-1992," *Western Political Science Association Conference*, San Francisco, March 14-16, 1996.
- "Insular Democracy: Advisory Councils and Task Forces in the American States," *Western Political Science Association Conference*, Portland, March 1995.
- "Supporting Labor-Management Initiatives at the State Level: The Case of the West Virginia Labor-Management Advisory Council," *Southern Industrial Relations and Human Resource Conference*, Morgantown, WV, October 1994.
- "State Autonomy, Capacity, and Coherence: Labor-Management Councils in the American States," *Western Political Science Association Conference*, Albuquerque, March 1994.
- "Removing the Pluralist Blinders: Labor-Management Councils and Industrial Policy in the American States," *American Political Science Association Conference*, Chicago, September 1992.
- "You Can't Live with Them...The Emerging Role of Organized Labor in Industrial Policy in the American States," *Midwest Political Science Association Conference*, Chicago, April 1992.
- "It Can Happen Here: Apprenticeship, Workplace-based Learning, and the Affirmative Role of Unions" (with Eric Parker), *Southwestern Political Science Association Conference*, Austin, TX, March 1992.
- "The Affirmative Role of U.S. Unions in Restructuring" (with Eric Parker), *American Sociological Association Conference*, Indianapolis, IN, August 1991.
- "Economic Development Strategy and the Problem of Skills: The Case of Wisconsin's Advanced Metalworking Sector" (with Eric Parker), *American Society for Public Administration Conference*, Cleveland, OH, October 1990.

INVITED TALKS AND OTHER PROFESSIONAL PRESENTATIONS

- Invited Presentation, "The Impact of HB 1355 on Florida's Hispanics," Gator Academic Outreach Symposium, co-hosted by Hispanic Alumni Association and Miami-Dade College, Miami, FL, May 11, 2012.
- Invited Presentation, "Voting and Elections in the United States," US Embassy, Accra, Ghana, live satellite talk to US Embassy, Ivory Coast, October 3, 2011.
- Invited Public Lecture, "Ghana's National Electoral Commission and the 2012 Elections: The Malapportionment of Parliamentary Constituencies, Rejected Ballots, and Questions of Representation," Department of Political Science International Lecture Series, University of Ghana, Accra, Ghana, November 17, 2011. [Q&A followed by several media interviews, including RadioUniverse, Ghana Television Broadcasting and TV3].
- Invited Public Lecture, "Assessing the Credibility of Public Opinion Polls," Ghana Center for Democratic Development (CDD-Ghana), Accra, Ghana, November 23, 2011. [Taped broadcast by TV3 and several FM stations].
- Invited Talk, "Obama to Blame?" Penn State University, February 26, 2010.
- Invited Talk, "Shirking the Initiative?" Rutgers University, November 6-7, 2008.
- Invited Talk, "Granting Power to the People: The Adoption of Direct Democracy in the American States," Bose Series Lecturer, University of Iowa, Iowa City, November 7-10, 2007.
- Invited Talk, "Instrumental Effects of the Initiative in the American States," The Voice of the Crowd—Colorado's Initiative, Byron R. White Center for the Study of American Constitutional Law, University of Colorado,

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- Boulder, Old Supreme Court Chambers, Colorado State Capitol, Denver, January 26, 2007.
- Invited Paper/Presentation, "Initiating Reform: The Effects of Ballot Measures on State Election and Ethics Policy," 2008 and Beyond: The Future of Election and Ethics Reform in the States, Ohio State Capital Building, Kent State University, January 16, 2007.
- Invited Paper/Presentation, "Financing Ballot Measures in the American States," Financing Referendum Campaigns Conference, University of Zurich, Switzerland, October 27-29, 2006.
- Invited Talk, "Pressure at the Polls/Ballot Initiatives," Capitol Beat Conference, Columbus, OH, August, 2006.
- Invited Talk, "Turnout and Priming Effects of Ballot Initiatives," Ballot Initiative Strategy Center Spring Briefing, National Education Association, Washington, DC, May 11, 2006.
- Invited Talk, "The People as Legislators: The Influence of Direct Democracy," Moritz College of Law, Ohio State University. Columbus, OH, March 3, 2006.
- Invited Public Debate, "Initiative Reform in Florida," *Orlando Regional Chamber of Commerce*, Orlando, FL, February 23, 2006.
- Invited Talk, "Direct Democracy: The Battle over Citizen Lawmaking," *Minnesota Council of Nonprofits, Public Policy Day 2006: Nonprofits as a Force for Change*, Minneapolis, MN, January 26, 2006.
- Keynote Speaker, "Taking the Initiative in Florida," *National Conference of Editorial Writers Regional Conference*, University of Central Florida, Orlando, FL, October 16, 2005.
- Panelist, "The Educative Effects of Direct Democracy," *Direct Democracy: Historical Roots and Political Realities*, The Bill Lane Center for the Study of the North American West, Stanford University, Stanford, CA, April 14-15, 2005.
- Panelist, "The Initiative and Referendum Process," *The 2004 Election: What Does it Mean for Campaigns and Governance?* University of Southern California Law School, Los Angeles, CA, October 8, 2004.
- Invited Talk, "Florida's Initiative Process," Oak Hammock, Gainesville, FL, October 21, 2004.
- Invited Talk, "Educated by Initiative," Oak Hammock, Gainesville, FL, October 6, 2004.
- Invited Talk, "Are Initiatives Good or Bad for Business," *National Chamber of Commerce Federation*, Boca Raton, FL, February 22, 2004.
- Panelist, "Roundtable on Florida Politics," *UF-FSU Colloquium*, Gainesville, FL, November 10, 2003.
- Panelist, "Initiatives and Referenda: Implications for Public Administration and Governance," *National Academy of Public Administration*, Washington, DC, October 22, 2003.
- Panelist, "Initiatives and Referenda: Direct Democracy or Government for Sale?" *New York Bar Association*, New York City, May 8, 2003.
- Keynote Speaker, "Direct Democracy in Colorado: The (Sub)Urban-Rural Divide," *Colorado Water Congress Annual Meeting*, Denver, November 8, 2002.
- Invited Talk, "Prospects for a Universal Health Care Ballot Initiative in Florida," Alachua County Labor Party, Gainesville, FL, January 25, 2002.
- Invited Talk, "The 2000 Ghana Elections: Lessons for the Future," The Center for African Studies, *University of Florida*, Gainesville, August 28, 2001.
- Panelist, "Graduate Studies in Canada and U.S.," *University of Ghana at Legon*, Accra, Ghana, March 14, 2001.
- Invited Talk, "Media Coverage of the 2000 [Ghanaian] Elections," *Ghana Center for Democratic Development (CDD-Ghana)*, Accra, Ghana, March 2, 2001.
- Invited Talk, "Ghana's 2000 Elections: The 'Politics of Absence,'" *Ghana Center for Democratic Development (CDD-Ghana)*, Accra, Ghana, February, 20, 2001.
- Panelist, "Special Forum on U.S. Presidential Elections 2000," *University of Ghana at Legon*, Accra, Ghana, November 21, 2000.
- Invited Talk, "The Role of The Media in US Elections," *Public Affairs Section, United States Embassy*, Accra, Ghana, October 31, 2000.
- Facilitator, "Three's A Crowd? The Fate of Third Parties in America," *Humanities Institute Salon*, Denver, May 4, 11, & 18, 2000.
- Chair and Discussant, "Factors Affecting the Success of Initiatives," *Western Political Science Association Conference*, San Jose, March 24-26, 2000.
- Invited Talk, "The Progressive Myth: Direct Democracy in Colorado, 1912," *Willamette University*, February 3, 2000.

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Invited Talk, "The Initiative to Party: The Partisan - Ballot Initiative Nexus," *Willamette University*, February 3, 2000.

Invited Talk, "Taking the Initiative into the 21st Century," *Colorado Water Congress Annual Meeting*, Broomfield, January 27, 2000.

Invited Talk, "Foundations of the American Political System," *Zhejiang University*, Zhejiang, China, October 13, 1999.

Invited Talk, "Trade, Taiwan, Tiananmen, and Theft: Partisanship in US-China Relations," *Fudan University*, Shanghai, China, October 11, 1999.

Invited Talk, "Republicans, Democrats, and US-China Relations," *The People's University*, Beijing, China, October 9, 1999.

Invited Talk, "US-China Relations and the 2000 Presidential Election," *China Institute of Contemporary International Relations*, Beijing, China, October 7, 1999.

Invited Talk, "Taking the Initiative: The Role of Money in Ballot Initiatives in the US," *Aspen Community & Institute Committee*, Aspen, August 10, 1999.

Facilitator, "Taking the Initiative: The Politics of Direct Democracy in Colorado," *Humanities Institute Salon*, May 20, May 27, & June 3, 1999.

Invited Talk, "The State of Direct Democracy in Colorado," American Center Series, *University of Colorado at Boulder*, April 9, 1999.

Participant, "TABOR: Today & Tomorrow," Graduate School of Public Affairs, *University of Colorado at Denver*, January 20-21, 1999.

Keynote Speaker, *Colorado Water Congress Annual Meeting*, "The Initiative Process: What You Need to Know," November 10, 1998.

Invited Talk, "The Political Economy of the Bronco's New Stadium Proposal," George Washington High School, *Reach Out DU*, October 15, 1998.

Invited Talk, "The Political Economy of the Bronco's New Stadium Proposal," Cherry Creek High School, *Reach Out DU*, October 15, 1998.

Invited Talk, "Tax Crusaders and the Politics of Direct Democracy," Tattered Cover Bookstore, Denver, August 20, 1998.

Academic Session Leader, "The Politics of Building a New Broncos Stadium," West High School VIP Program, *University of Denver*, April 17, 1998.

Participant, "Proposition 13 and its Progeny: Is California Suffering from an Excess of Democracy?" Institute of Governmental Studies, *University of California, Berkeley*, April 1-2, 1998.

Moderator, "Politics 101," Student Forum, *University of Denver*, March 3, 1998.

Panelist, "Ways to use Technology in Teaching," Dean's Luncheon on Teaching and Learning, *University of Denver*, February 20, 1998.

Panelist, "The End of Empire in Ghana, 1957," The End of Empire: 50 Years of British Withdrawal, Center for Teaching International Relations, *University of Denver*, February 7, 1998.

Moderator, "1996 Candidate Forum," DU Programs Board, *University of Denver*, October 28, 1996.

Invited Talk, "Election 1996," KARIS Community, Denver, October 24, 1996.

Invited Talk, "Faux Populism: Douglas Bruce, Populist Entrepreneur, and the Anti-Tax Moment in Colorado," Humanities Institute, *University of Denver*, October 17, 1996.

Panelist, "The Federal Budget Battle," Sponsored by Omicron Delta Epsilon and Pi Sigma Alpha, *University of Denver*, October 2, 1995.

Invited Talk, "US Energy Policy," Highlands Ranch High School, *Reach Out DU*, November 10, 1995.

Panelist, "Study Abroad," Second Annual University Conference: Internationalization at the University of Denver, *University of Denver*, April, 1994.

Chair and Panelist, "African Studies," Second Annual University Conference: Internationalization at the University of Denver, *University of Denver*, April, 1994.

Panelist, "Public Policy and Work Force Participation: Making the School-to-Work Transition," Public Policy and Work Force Participation Seminar, *University of Pittsburgh*, September 15, 1993.

Rapporteur, "City\$Money Conference," The La Follette Institute for Public Affairs, *University of Wisconsin-Madison*, February 4-6, 1992.

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EDITORIAL/ADVISORY BOARDS

Review Board, *American Political Science Association (APSA) Small Research Grant Program*, 2004-05.
Review Board, *Fulbright/ American Political Science Association (APSA) Congressional Fellowship Program*, 2002-2005.
Academic Advisory Board, *Annual Editions, State & Local Government* (Brown & Benchmark), 1995-.
Sub-Field Editor, *State Politics, FirstResearch*, 1999-2001.
Editorial Board, *State Politics and Policy Quarterly*, 1999-2005.

PROFESSIONAL MEMBERSHIPS

American Political Science Association
Member of State Politics and Policy Section
Member of Political Organizations and Parties Section
Florida Political Science Association
Section Chair, State Politics, 2004 Annual Conference (Gainesville)
Midwest Political Science Association
Southern Political Science Association
Western Political Science Association
Local Co-Host, Annual Meeting (Denver), 2003
Chair, Committee on Membership, Attendance, and Registration, 1998-2000
Section Chair, State Politics and Policy, 1999 Annual Conference (Seattle)
Member, Charles Redd Politics of the American West Award Committee, 1999
Chair, Best Dissertation Award Committee, 1999-2001
State Politics and Policy
Editorial Board, 2000-2007
Executive Council, 2010-2012

PROFESSIONAL APPOINTMENTS

Research Associate, *Ghana Center for Democratic Development (CDD-Ghana)*, Accra, Ghana, 2011.
University of Florida Research Foundation (UFRF) Professor, 2010-2012.
Research Scholar, *Bill Lane Center for the Study of the American West*, Stanford University, 2007.
Senior Research Scholar, *Ballot Initiative Strategy Center Foundation (BISCF)*, Nonprofit 501 (c)(3), Washington, DC, (www.ballot.org), 2006.
Board of Directors, *Ballot Initiative Strategy Center Foundation (BISCF)*, Nonprofit 501 (c)(3), Washington, DC, 2000-.
Board of Scholars, *Initiative & Referendum Institute*, USC Law School, University of Southern California, 2004-.
Senior Research Fellow, *Initiative & Referendum Institute*, Washington, DC, 1998-2003.
Research Associate, *Ghana Center for Democratic Development (CDD-Ghana)*, Accra, Ghana, 2000-01.
President & Co-Founder, *Citizens Institute for Voter Information in Colorado (CIVIC)*, Denver, CO, 1998-2001.

MEDIA INTERVIEWS

Quoted more than 500 times by the media (newspaper, radio, television) on various political issues, including the *New York Times*, *Wall Street Journal*, *USA Today*, *Economist*, *Newsweek*, *Time*, *CBS News*, *Fox News*, *National Public Radio*, *St. Pete (Tampa) Times*, *Miami Herald*, *Jacksonville Times-Union*, *San Francisco Chronicle*, *Chicago Tribune*, *Boston Globe*, *Gainesville Sun*.

REFERENCES

Provided upon request.