

EXHIBIT 4

DECLARATION OF PROFESSOR JONATHAN NAGLER ON BEHALF OF PLAINTIFFS

1. I am a Professor in the Wilf Family Department of Politics at New York University. I submit this declaration in support of plaintiffs' motion for a temporary restraining order. As I explain in detail below, I have conducted an analysis of voter registration data provided by the State of Colorado. Based on that analysis, I conclude that since August 5, Colorado has removed between 14,859 and 26,931 voter records from its registration rolls.

I. Qualifications

2. I received my doctorate in social science from the California Institute of Technology in 1989. I have taught political science at New York University since 2000. I was promoted to Professor of Politics in 2004.

3. My expertise lies in the area of campaigns, elections, voter behavior and quantitative methodology. I regularly teach courses to undergraduate and graduate students on those topics, including courses on quantitative political analysis. I have published extensively in leading peer-reviewed political science journals, such as *American Journal of Political Science*, *American Political Science Review*, *Journal of Politics*, *Electoral Studies*, *Political Research Quarterly*, and *Political Analysis*. My writings include several articles about the effect of voter registration laws on voter turnout. A complete list of my publications is included in my curriculum vitae attached as *Appendix A*.

4. I have served on the editorial boards of the *American Journal of Political Science*, *Political Analysis*, and *Political Research Quarterly*, all peer reviewed journals. I am a member of the American Political Science Association (APSA) and a past president of the Political Methodology Society and Section of the APSA.

5. For the past 13 years, my research has been supported in part by multiple grants from the National Science Foundation.

6. I am being paid \$150 per hour for my work on this case, plus expenses. I have previously testified in two other lawsuits, as an expert for the State of California in *California Party v. Bill Jones* (1999) and as plaintiffs' expert in *Acorn et al. vs. Bysiewicz* (2005), and I submitted a declaration in *Cano v. Davis* (2002) supporting the California Secretary of State.

7. Based on my extensive experience analyzing elections, registration laws and voter turnout, and on my extensive experience with quantitative data analysis, I declare under penalty of perjury that the comments in this document are true and correct.

II. Analysis Requested

8. I was retained by plaintiffs as of October 14, 2008 to investigate whether the State of Colorado was engaged in purging its voter registration records within 90 days of the upcoming federal election, i.e., during the period of August 5 to November 4, and if so what types of purge were occurring.

III. Data Analyzed

9. In conducting my analysis I worked from the following documents/data files, all of which it is my understanding were provided by the state of Colorado:

- Complete Colorado registered voter list dated October 13, 2008 (provided in electronic form). This is a data set that lists every voter registered in the state of Colorado on the date referenced. It provides what should be a unique voter ID for each record, as well as information about the voter's name, address, age, and registration date. Attached as *Appendix B*.
- Complete Colorado registered voter list dated August 15, 2008 (provided in electronic form), See description above. Attached as *Appendix C*.
- Colorado Secretary of State press release dated October 9, 2008 providing numbers for "all cancelled voters since July 21, 2008 and reasons for cancellation" available on the Secretary of State's website at

http://www.sos.state.co.us/pubs/pressrel/NY_Times_NR_10-9-08_FINAL.pdf. Attached as *Appendix D*.

- “Voter Registration Totals 7-31-08” available on the Colorado Secretary of State’s web site at

<http://www.elections.colorado.gov/DDefault.aspx?tid=719&vmid=11>

01. Attached as *Appendix E*.

In addition, I utilized the United States Postal Service national change of address database. This is a database of individuals who have filed change of address forms with the post office to have their mail forwarded.

IV. Analysis of Colorado’s Voter Cancellation Activity August 5 – October 13

10. Working with the available documentation, I conducted two separate analyses to investigate whether the state was engaging in voter registration cancellations in the relevant period – August 5 to November 4. On Thursday October 16, I began comparing the registered voter lists made available by the state for October 13, 2008 (*Appendix B*) and August 15, 2008 (*Appendix C*), the closest date to August 5 for which complete registration files were made available. These data sets contain, among other things, the unique voter identification numbers, names, birth years, addresses, counties, and zipcodes for every registered voter in Colorado on the date the list is run. Each file is like a snapshot of the state’s voter registration records on a particular date. By comparing the records in the two data sets I was able to discover whether particular voter records were present on August 15 and no longer present on October 13, leading to an inference that those voters had been taken off the list between August 15 and October 13. Then, in order to investigate potential purging activity in the 10 days between August 5 and August 14, I compared the voter registration total available on the Colorado Secretary of State’s website for July 31, 2008 (*Appendix E*) with registration information gleaned from the August 15 registered voter list

(Appendix C). From these two analyses, it appears that the state was engaging in voter cancellations throughout the period of July 31 to October 13, 2008 that removed thousands of voters from the rolls.

A. Analysis of Cancellation Activity August 15 – October 13.

11. There were 3,008,279 unique records in the August 15 data set (Appendix C). There were 3,168,511 records on the October 13 data set (Appendix B). Each record represents a single voter with a voter ID number. By comparing the voter ID numbers present in each data set, I determined that 14,859 voter records that existed on the August 15 registration list (Appendix C) were no longer present on the October 13 registration list (Appendix B).

12. To determine how many of these purges might be due to death, felony conviction and voter withdrawal and, thus how many purges were for other reasons, I looked to the Secretary of State's October 9, 2008 response to the New York Times (Appendix D). There the Secretary declared that "since July 21, 2008" the state had cancelled 1,145 voter registrations for death, 544 for felony conviction, and 203 for withdrawal. In the time available for my analysis I was not able to determine independently how many voters were removed for these reasons. Accepting the state's numbers I take these as *conservative* estimates for the numbers of deceased, convictions and withdrawals, because the state's numbers cover all but four days of the period that I studied, and *in addition* include the period from July 21 to August 14. Deducting those numbers from the 14,859 purged records I observed, would leave 12,967 voters removed for other reasons during the period from August 15 to October 13.

13. To further confirm that death was not a reason for a much higher percentage of the voters who disappeared from the state lists between August 15 and October 13, I looked at the age distribution of the disappearing voters. If death were the reason for a high number of these cancellations, I would expect to see a high proportion of older people

among the purged records. I found valid birth-year fields on only 11,744 of the 14,859 records which disappeared from the state's lists between August 15 and October 13. Of these, only 17.5% of them were age 75 or over. I examined the 3,114 records with no valid birth-year field, and found that they had a more recent average registration-date and average effective-registration date than did the records for persons 40 years or younger. Thus these records obviously do not consist of disproportionately older persons, and so I assumed that no more than 17.5% of them were over age 75. This means that in the 14,859 missing records, there were 2,597 persons over 75. Even if *every one* of these older voters died in the two month period observed, that would still leave 12,262 voters purged for other reasons.

14. To further confirm that conviction was not the reason for a much higher percentage of voters who disappeared from the list between August 15 and October 13, I looked at the gender distribution of the missing voters. If conviction accounted for purges far in excess of those the secretary reported – if, for example, the state had conducted a large cumulative purge of convicted individuals in the four days between October 9 and October 13 (i.e., the period covered by my analysis that is not covered by the state's report (*Appendix D*)) I would expect to see a higher proportion of men than women among the missing voters. According to the Colorado Division of Criminal Justice, there were 20,684 male prisoners in the state in June 2008 and 2,305 female prisoners. In other words, male prisoners make up 90% of the prison population while female prisoners constitute only 10%. [http://dcj.state.co.us/ors/pdf/PPP/Aug08DCJ%20InterimPrisonProj_final2.pdf] However, 48.2% of the purged voters are men, and 51.8% of the purged voters are women. Thus it is very unlikely that convicted felons make up a substantial portion of the set of purged voters, as if this were the case then I would observe a substantially different distribution of gender in the set of purged voters.

15. Since I could find no evidence of excessive deaths or felony convictions among the set of purged records I found, I utilize the Secretary of State's October 9 figures (*Appendix D*) for deaths, felony convictions, and withdrawals. Subtracting the Secretary's

figures given above for purges due to death (1,145), felony conviction (544) and withdrawal (203) from the 14,859 records that disappeared from August 15 to October 13 yields a net purge of 12,967 voters for reasons other than death, felony conviction and withdrawal in that part of the 90 day period being analyzed.

16. I then sought to identify other potential explanations for the apparent purges of those 12,967 voters. For 11,745 of the disappearing voter files, complete addresses were available. I compared these with the United States Postal Service's change of address database and found that 4,692 of these individuals had filed change of address forms. No more than 2,485 of these however, were for out of state addresses. Filing a forwarding address with the post office does not necessarily mean that the voter has permanently relocated. People file such postal address changes for many reasons, sometimes for a short time, while maintaining a residence and intending to return to vote at their original address. I performed this check on the missing voter records because I was looking for some feature these records might have in common that might provide some insight about why the state dropped them from the rolls.

17. I next considered whether any of the 14,859 disappearing voter records might be cases of duplicated records for the same voter. As with my examination of the change of address requests, I searched for duplicates because I was looking for clues as to why the state removed these records. As a first step, I searched the entire August 15 registration list (*Appendix C*) for voter records that had identical first and last name, birth year, county, and zip code – although they had different voter ID numbers. Before checking for the matches on the names I converted all names to upper-case, and removed all spaces from the names to increase the chances of catching matching names that might otherwise be hidden by inconsistent capitalization or spacing. I found 1,916 such records. I then looked to see if these records were the records that had been purged by matching them on these same five characteristics to my list of purged voters. Again, prior to matching I converted the purged names to upper-case and removed spaces. I found only 197 such matches. Thus I believe

that no more than 197 of the 14,859 records were purged because they represented the same individual (i.e., were duplicate records).

18. Finally, I sought to check the possibility that an individual voter's ID number might change over time, and thus mask the fact that a voter whose ID number was on the August 15 registration list (*Appendix C*) and absent from the October 13 registration list (*Appendix B*) was still present, but with a new ID number. Although voter ID numbers are supposed to remain constant over time, I thought it was possible that through some manipulations of the voter list that I am not aware of, or through administrative error, they may sometimes change. To investigate this, I matched the 14,859 records purged between August 15 and October 13 by first and last name and birth year with the 3,168,511 records on the October 13 registration list (*Appendix B*). I again converted the names to upper-case, and removed any spaces. I found 3,118 such matches. These matches represent voter records that were purged, though the voter *may* have reappeared on the October 13 registration list with a different Voter-ID number, and thus should not truly be counted as a purged *voter*. That does not mean that all of those 3,118 matches represent voters from the August 15 registration list (*Appendix C*) who are really still on the October 13 registration list (*Appendix B*), but with changed ID numbers. When comparing a list of 14,000 names to a list of over 3 million names, one is likely to find many matches, just by chance, even controlling for year of birth. Anyone who has played the parlor game of looking for two people with the same birth date in a large room should be familiar with this phenomenon. Thus the 3,118 figure is almost certainly an overcount of voters who re-appeared on the October 13 registration list (*Appendix B*), with the same name. This suggests that most of the 14,859 missing voter ID numbers that were on the Colorado registration list on August 15 (*Appendix C*) but were not on the October 13 registration list (*Appendix B*) are indeed missing *voters*, not just missing records where the voter associated with the record has re-appeared on the registration list. We are unable to account for voters who may have changed their name on the registration lists between August 15 and October 13. However,

as we have previously noted, 51.8% of the purged voters are women. So it does not seem likely that voters who changed their names because of marriage are over-represented among the purged voters.

19. Summarizing the main findings of my analysis of the purges from Colorado's registration list between August 15 and October 13, I found that 14,859 voter records had been removed from the list during that time. Of those, using figures provided by the Secretary of State (*Appendix D*) 1,892 may have been removed because voters died, were convicted of felonies, or withdrew their registrations. That leaves 12,967 voter records removed for other reasons. Of these, 3,118 *may* still be on the rolls with a different voter ID number and another 197 of these purged records *may* represent duplicate records. This would leave us with 9,652 voters purged for unexplained reasons between August 15 and October 13.

B. Analysis of potential purges in the period August 5 – August 14

20. Because the 90-day period I was asked to analyze extends back to August 5, I sought to investigate the registration list activity in the 10 days between that date and August 14 – the beginning of the period analyzed above. Because I did not have a voter registration list for August 5, I could not compare lists and look to see what individual voter records, if any, disappeared during this earlier period, as I did for the August 15-October 13 period. Instead, I compared the number of voters with effective registration dates between July 31 and August 14 with the total increase in Colorado's voter registration rolls in that time. That comparison leads me to conclude that there was substantial purging activity between July 31 and August 14.

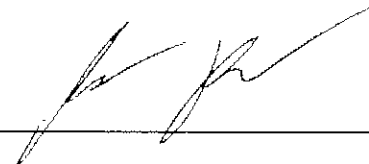
21. As of July 31, the Secretary reports that there were 3,007,783 voters registered. (That figure is available on the Secretary's web site.) (*Appendix E*) Looking at the August 15 voter registration list (*Appendix C*) I found 12,568 people with effective voter registration dates between August 1 and August 14. And this number of 12,568 is consistent with the

historical record: on the August 15 registration list (*Appendix C*) I found 4,875 voters with effective registration dates between August 1, 2000 and August 14, 2000; and I found 16,045 voters with effective registration dates between August 1, 2004 and August 14, 2004. If we add these 12,568 new effective registrations to the Secretary's registration total for July 31 (*Appendix E*), there should be 3,020,351 people registered in Colorado by August 15. In fact, however, on the August 15 list there are only 3,008,279 voters (*Appendix C*). This suggests that there were 12,072 purges from the voter list between July 31 and August 15. It is of course possible that these 12,072 voter records are contained within the 14,049 purges that the Secretary of State admits occurred between July 21 and October 9 (*Appendix D*). However, the problem remaining is that I have now identified 12,072 purges between July 31 and August 15, and an additional 14,859 purges between August 15 and October 13. This is a total of 26,931 purged voter records, obviously substantially higher than what the Secretary claims was the purge total for July 21 to October 9 (*Appendix D*).

V. Summary

22. My analysis indicates that in the period since August 5, Colorado has removed between 14,859 and 26,931 voter records from its registration rolls. The first number is arrived at by comparing the registration lists of August 15 and October 13. Some of these 14,859 purged records may be accounted for by deaths, convicted felons, and withdrawn registrations. But my best estimate of this would still leave 12,967 purged voter records. The second figure above, 26,931 voter records, is arrived at by adding the 12,072 voters purged between July 31 and August 15 to the 14,859 figure. I cannot say whether the latter group of 12,072 was purged before or after August 5. However, these figures lead me to conclude that the Secretary's report of 14,049 purges since July 21 (*Appendix D*) is inaccurate, and that thousands of purges occurred after August 5, 2008.

I swear under penalty of perjury that the foregoing is true and correct.

Signed  _____

Executed on 10/24/08

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APPENDIX A

Jonathan Nagler

Personal Information

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Education

Ph.D., California Institute of Technology, Social Science, 1989.

Dissertation: "Strategic Opportunities Provided by the Conference Committee Procedure in the U.S. Congress." **Committee Chair:** Rod Kiewiet.

M.S., California Institute of Technology, 1985.

A.B., Harvard University, Government, 1982.

Positions Held

Spring, 2005 — Visiting Associate, California Institute of Technology.

Fall, 2004 — Professor, Department of Politics, New York University.

Fall, 2003 — Director of Graduate Studies, Department of Politics, New York University.

Fall, 2002 - Summer 2003.... — Associate Chair, Department of Politics, New York University.

Fall, 2001 - Summer 2002.... — Acting Chair, Department of Politics, New York University.

Fall, 2000 — Associate Professor, Department of Politics, New York University.

Spring, 2000 — Visiting Associate Professor, Division of Humanities and Social Sciences, California Institute of Technology.

1998-1999 — Visiting Associate Professor of Government, Harvard University.

1997-1999 — Lecturer, Summer Program, Inter-university Consortium for Political and Social Research, University of Michigan.

1996 — Lecturer, Summer Program, European Consortium for Political Research, Essex University, England.

1994... — Associate Professor, Department of Political Science, University of California, Riverside.

Fall, 1995 — Visiting Associate Professor, Division of Humanities and Social Sciences, California Institute of Technology.

1992-1994 — Assistant Professor, Department of Political Science, University of California, Riverside.

1988-1992 — Assistant Professor, Department of Political Science, Texas A&M University.

1987-1988 — Instructor, Department of Political Science, Texas A&M University.

1984-1986 — Teaching Assistant, Department of Social Sciences, California Institute of Technology.

Research Fields

- Campaigns and Elections
- Political Behavior
- Econometrics

Courses Taught

- Campaigns and Elections: graduate course, New York University.
- Quantitative Political Analysis: graduate course, New York University, University of California, Riverside, Harvard University, and Texas A&M.
- Seminar: Elections and Campaign Spending, undergraduate course, New York University.
- Economic and Issue Voting: graduate course, University of California, Riverside, Harvard University.
- Advanced Regression Analysis: graduate course, University of California, Riverside.
- Models of Discrete Choice: graduate course, Essex Summer School.
- Advanced Topics in Maximum Likelihood Estimation for Generalized Linear Models, ICPSR Summer Program. (one of four instructors)
- American Political Institutions: graduate course, University of California, Riverside.
- Parties, PACs, and Campaigns: upper division undergraduate course, University of California, Riverside.
- Congressional Elections: upper division undergraduate course, California Institute of Technology.
- Congressional Politics: upper division undergraduate course, Texas A&M.
- Introduction to American Government, University of California, Riverside, and Texas A&M.
- Politics and Economic Policy: upper division undergraduate course, University of California, Riverside.

Grants

National Science Foundation Grant for “Support for Conferences in Political Methodology.” (Co-PI) Award from NSF: \$99,960. June, 2003.

National Science Foundation Grant for “The Effect of Changes in Wages on Economic Perceptions and Voting: An Improved Micro-Level Foundation for Economic Voting.” Award from NSF: \$69,600. May, 2000.

National Science Foundation grant for “Issues and Economics in MultiParty Democracies.” Award from NSF: \$90,000. April, 1997.

National Science Foundation grant for Computing Infrastructure (Co-PI) . Award from NSF: \$138,000. Approximately \$425,000 matching funds over five years from UCR. 1995-1999.

“Estimating the Heterogeneity of Individuals and Candidates in Elections: Sensitivity to Campaign Effects,” University of California Faculty Fellowship, \$1600, April, 1993.

“Testing the Symmetry Assumptions of Non-Linear Models: Alternative Specifications to Logit and Probit for Dichotomous Dependent Variables,” Texas A&M University Supercomputing Center, \$31,000, September, 1991.

“Turnout in American National Elections,” Texas A&M University Supercomputer Center, \$100,000, September, 1990. (with Jan E. Leighley)

Publications

Journal Articles

“The Hispanic Vote in the 2004 Presidential Elections: Insecurity and Moral Concerns”, *Journal of Politics*, 2008, Vol 70(2): 368-382 (with Marisa A. Abrajano and R. Michael Alvarez).

“Protected from Politics: Diminishing Margins of Electoral Competition in U.S. Congressional Elections”, *Ohio State Law Journal*, 2007, 68(4): 1121-1137 (with Samuel Issacharoff).

“Unions and Class Bias in the U.S. Electorate, 1964-2004,”, *Journal of Politics*, 2007, 69:430–441 (with Jan E. Leighley).

“Strategic Voting in British Elections,” *Electoral Studies*, 2006, 25:1–19. (with R. Michael Alvarez and Frederick J. Boehmke)

“A Natural Experiment of Race-Based and Issue Voting: The 2001 City of Los Angeles Elections,” *Political Research Quarterly*, 2005, 58:203–218. (with Marisa A. Abrajano and R. Michael Alvarez)

“Latinos, Anglos, Voters, Candidates, and Voting Rights”, *University of Pennsylvania Law Review*, 2004, 153:393–432. (with R. Michael Alvarez)

“Party System Compactness: Measurement and Consequences,” *Political Analysis*, (2004), 12: 46–62. (with R. Michael Alvarez)

“The Likely Consequences of Internet Voting for Political Representation,” *Loyola Law Review*, (2001) 34:1115–1153. (with R. Michael Alvarez)

“Issues, Economics and the Dynamics of Multi-Party Elections: The British 1987 General Election,” *American Political Science Review*, (2000) 94:131–149. (with R. Michael Alvarez and Shaun Bowler)

“A New Approach for Modeling Strategic Voting in Multiparty Elections,” *British Journal of Political Science*, (2000) 30:57–75. (with R. Michael Alvarez)

“Measuring the Relative Impact of Issues and the Economy in Democratic Elections,” *Electoral Studies*, (2000) 19:237–253. (with R. Michael Alvarez and Jennifer Willette)

- “Economics, Entitlements and Social Issues: Voter Choice in the 1996 Presidential Election,” *American Journal of Political Science*, (1998) 42:1349–1363. (with R. Michael Alvarez)
- “Explaining the Gender Gap in U.S. Presidential Elections, 1980-1992,” *Political Research Quarterly*, (1998) 51:311–339. (with Carole Kennedy and R. Michael Alvarez)
- “When Politics and Models Collide: Estimating Models of Multi-Party Elections,” *American Journal of Political Science*, (1998) 42:55–96. (with R. Michael Alvarez)
- “Economics, Issues, and the Perot Candidacy: Voter Choice in the 1992 Election,” *American Journal of Political Science*, (1995) 39:714–744. (with R. Michael Alvarez)
- “Scobit: An Alternative Estimator to Logit and Probit,” *American Journal of Political Science*, (1994) 38:230–255.
- “Socioeconomic Class Bias in Turnout, 1964-88: The Voters Remain the Same,” *American Political Science Review*, (1992) 86:725–736. (with Jan Leighley)
- “Individual and Systemic Influences on Turnout: Who Votes? 1984,” *Journal of Politics*, (1992) 54:718–740. (with Jan Leighley)
- “Presidential Campaign Expenditures: Evidence on Allocations and Effect,” *Public Choice*, (1992) 73:319–333. (with Jan Leighley)
- “The Effect of Registration Laws and Education on U.S. Voter Turnout,” *American Political Science Review*, (1991) 85:1393–1405.
- “Information and Elite Opinions on the Strategic Defense Initiative,” *Social Science Quarterly*, (1990) 71:531–542.
- “Strategic Implications of Conferee Selection in the House of Representatives: ‘It Ain’t Over Till it’s Over,’” *American Politics Quarterly*, Vol. 17, No. 1, January, 1989.

Book Reviews, Chapters and other Publications and Reports

- “Election Day Voter Registration in Iowa”, A Demos Briefing Paper, March 2007. (with R. Michael Alvarez).
- “Mobilizing Institutions and Class Bias in U.S. Electoral Politics, 1964-2004” (with Jan E. Leighley), forthcoming in *Mobilizing Democracy: A Comparative Perspective on Institutional Barriers and Political Obstacles*, Margaret Levi, James Johnson, Jack Knight and Susan Stokes, eds., Russell Sage Foundation, forthcoming.
- “Likely Effects of Adoption of Election Day Registration in Connecticut”, expert witness report prepared for *ACORN, et al., v. Bysiewicz*, November, 2004.
- “Making Voting Easier: Election Day Registration in New York”, report prepared for Demos, April,

2004. (with R. Michael Alvarez and Catherine H. Wilson).
- “Root Mean Square Error,” in *Encyclopedia of Social Science Research Methods*, Sage Press, 2003.
- “Specification,” in *Encyclopedia of Social Science Research Methods*, Sage Press, 2003.
- “Should I Stay Or Should I Go? Sincere and Strategic Crossover Voting in California Assembly Races,” in *California’s Open/Blanket Primary: A Natural Experiment in Election Dynamics*, Cain, Bruce E. and Elisabeth R. Gerber, eds. University of California Press, 2002. (with R. Michael Alvarez)
- “California and the Blanket Primary”, monograph prepared for the Secretary of State of California, May, 1999. 193 pages. (with R. Michael Alvarez)
- “Economic Conditions and Presidential Elections” (with Jennifer R. Willette), Institut de Ciències Politiques i Socials, Working Paper Number 171, Barcelona, Spain, 1999.
- Review of *Statistical Computing Environments for Social Research*, Stine, Robert and John Fox (editors), Sage Press, 1997, *The American Statistician*, Vol 52, No 2, May, 1998. Pages 198-199.
- “Analysis of Crossover and Strategic Voting”, expert witness report prepared for *California Party v. Bill Jones*, June, 1997. 64 pages. (with R. Michael Alvarez)
- “Coding Style and Good Computing Practices”, *PS: Political Science & Politics*, September, 1995 - Volume 28, No 3. Pages 488-492.
- “Coding Style and Good Computing Practices”, *The Political Methodologist*, Spring, 1995 - Volume 6, No 2. Pages 2-9.
- Review of *Bicameral Politics*, Longley, Lawrence D. and Walter J. Oleszek, Yale University Press, 1989, *Journal of Politics*, Vol 52, No. 4, November, 1990.
- “Knowledge and Opinion: Caltech Poll on Defense Issues,” *Pugwatch*, Spring, 1987.

Recent Conference Papers and Manuscripts

- “Alienation, Indifference and Inequality,” (with Jan E. Leighley), presented at the Conference on Homeogeneity and Heterogeneity in Public Opinion, Cornell University, Ithaca, NY, October, 2008.
- “Who Votes Now? And Does It Matter?,” (with Jan E. Leighley), presented at the Annual Meeting of the Midwest Political Science Association, April, 2007.
- “Class Bias in the U.S. Electorate, 1972-2004,” (with Jan E. Leighley), presented at the Annual Meeting of the American Political Science Association, August, 2006.

- “A Good Model of Turnout and a Cross-National Empirical Analysis” (with Melanie Goodrich), presented at the Annual Meeting of the Midwest Political Science Association, April, 2006.
- “Anglo and Hispanic Vote Choice in the 2004 Election” (with R. Michael Alvarez and Lisa Garcia Bedolla), manuscript, March, 2006.
- “Do Voters Really Care Who Gets What?: Economic Growth, Economic Distribution, and Elections” (with Suzanna De Boef), presented at the Annual Meeting of the American Political Science Association, September, 2005.
- “A Method for Weighting Survey Samples of Low-Incidence Voters” (with R. Michael Alvarez), presented at the Annual Summer Meeting of the Political Methodology Society, Tallahassee, Florida, July, 2005.
- “Latinos, Anglos, Voters, Candidates, and Voting Rights” (with R. Michael Alvarez), presented at The University of Pennsylvania Law Review 2003-04 Symposium: The Law of Democracy Since Bush v. Gore, Philadelphia, PA, February, 2004.
- “A Comparative Evaluation of Economic and Issue Voting” (with Catherine Wilson and R. Michael Alvarez), manuscript, November, 2002.
- “Group Economic Performance, Economic Voting and Electoral Accountability” (with Suzanna De Boef), presented at the Annual Meeting of the Midwest Political Science Association, Chicago, April, 2002.
- “Economic Voting in the United States: Methodological Issues and Research Agendas” (with R. Michael Alvarez), prepared for presentation at the Annual Meeting of the American Political Science Association, San Francisco, CA, September, 2001.
- “Socioeconomic Class Bias in Turnout : Evidence from Aggregate Data” (with Jan E. Leighley), presented at the Annual Meeting of the American Political Science Association, Washington, DC, September, 2000.
- “The Varying Self-Interest of Voters and Economic Reference Groups - Two Analyses to Explain Al Gore’s 2000 Campaign Strategy” (with Suzanna De Boef), presented at the Annual Meeting of the American Political Science Association, Washington, D. C., September, 2000.
- “Is the Sleeping Giant Awakening?: Latinos and California Politics in the 1990’s” (with R. Michael Alvarez), presented at the Annual Meeting of the Midwest Political Science Association, Chicago, Illinois, April, 1999.
- “The Relative Impact of Issues and the Economy in Canada: (with Comparisons to the Netherlands, the United States, and Great Britain)” (with Jennifer R. Willette and R. Michael Alvarez), presented at the Conference on: Economics and Elections, Sandjerg Slot, Denmark, August, 1998.
- “Estimating Models of Multiparty Electoral Competition, and Measuring the Compactness of a Multiparty Issue Space” (with Jennifer Niemann and R. Michael Alvarez), presented at the An-

Annual Meeting of the Western Political Science Association, Los Angeles, California, March, 1998.

“Analysis of Crossover and Strategic Voting” (with R. Michael Alvarez), California Institute of Technology Social Science Working Paper Number 1019, September, 1997.

Other Conference Participation and Seminars

Paper presented at the Instituto Tecnológico Autónomo de México (ITAM), Mexico City, Mexico, February, 2000.

Paper presented at University of Montreal, Montreal, Canada, November, 1998.

Invited participant at the Barcelona Conference on Popularity Functions, Institut de Ciències Polítiques i Socials, Barcelona, Spain, November, 1998.

Invited participant at the Conference on: Economics and Elections, Sandjerg Slot, Denmark, August, 1998.

Paper presented at the Annual Meeting of the American Political Science Association: 1999, 1998, 1997, 1996, 1995, 1993, 1992, 1991, 1989, 1988.

Paper presented at the Annual Meeting of the Midwest Political Science Association: 1999, 1998, 1997, 1996, 1994, 1992, 1990, 1989.

Paper presented at the Annual Meeting of the Political Methodology Society: 2005, 1995, 1993, 1992.

Paper presented at the quarterly meeting of the Southern California Political Methodology Program: Spring, 1998; Spring 1997.

Discussant and/or Panel Chair, Annual Political Methodology Summer Conference: 1999, 1998, 1997, 1996, 1993, 1991.

Invited Participant, presented 2 papers and served as discussant at the Elections Mini-Conference, Washington University, St. Louis, March, 1996.

Other Grant Activity

“Future Policy Directions for California: Forecasting Demands from Latino Voters”, submitted to the Public Policy Institute of California, November, 1999. (with R. Michael Alvarez)

“Effects of Presidential Campaign Spending on Election Outcomes.” College of Liberal Arts Mini-grant program, (\$350). April, 1989. (with Jan Leighley)

Awards

1998 Robert H. Durr Award for the best paper presented at the 1997 meeting of the Midwest Political Science Association applying quantitative methods to a substantive problem in political science. For “A New Approach for Modeling Strategic Voting in Multiparty Systems,” (with R. Michael Alvarez).

Professional Associations

- American Political Science Association (Political Methodology, Elections and Electoral Behavior, and Comparative Politics Sections)
- Midwest Political Science Association, Southern Political Science Association, Western Political Science Association

Other Professional Activities

Expert witness testimony on the likely impact of Election Day Registration in Connecticut, *ACORN, et al., v. Bysiewicz*, April, 2005.

Special Advisor to Greenberg, Quinlan, Rosner, *Democracy Corps*, Surveys of Hispanic Voters, 2004 to Spring, 2008.

Consultant to The Mellman Group, survey of Hispanic Voters for John Kerry campaign, Summer, 2004.

Consultant to Greenberg, Quinlan, Rosner, NARAL Pro-Choice American survey, Summer, 2004.

Prepared Expert report for the state of California, *Cano v Davis*. Prepared analysis of racial bloc voting and other relevant aspects of redistricting plan. Fall 2001 - Summer 2002.

President, Political Methodology section of the American Political Science Association, 2001-2003.

Vice-President, Political Methodology section of the American Political Science Association, 1999-2001.

Consultant to Knight Ridder, Survey of Hispanic Voters, 2000.

Member, California Internet Voting Task Force, 1999.

Section Organizer, Methodology, Annual Meeting of the American Political Science Association, Boston, Massachusetts, September, 1998.

Expert witness for the state of California, *California Party v. Bill Jones*. Testified on the likely impact of a blanket primary on crossover voting and strategic voting. Summer, 1997.

Editor, *The Political Methodologist*, Spring 1996 to Summer, 1998

Web Master, Political Methodology Section of the American Political Science Association, Spring 1995 to Fall 1998. Designed and Supervise Electronic Paper Archive, Political Methodology Section of the American Political Science Association, Spring 1995 to Fall 1998.

Section Organizer, Elections, Voting, and Participation, Annual Meeting of the Midwest Political Science Association, Chicago, Illinois, April, 1997.

APPENDIX B
(CD-ROM to be
provided)

APPENDIX C
(CD-ROM to be
provided)

APPENDIX D

STATE OF COLORADO
Department of State
1700 Broadway
Suite 250
Denver, CO 80290



Mike Coffman
Secretary of State

William A. Hobbs
Deputy Secretary of State

News Release

FOR IMMEDIATE RELEASE
October 9, 2008

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Coffman responds to *NY Times* article inaccuracies *Actual numbers in Colorado well below article's estimates*

Denver, Colorado – Today Secretary of State Mike Coffman responded to voter concerns generated by an October 9 story in the *New York Times*. The article identified six states, one of which was Colorado, and referenced inaccurate numbers related to voter registration.

“Colorado voters can rest assured that our county clerks take every precaution in maintaining our state’s voter rolls,” said Coffman.

The Secretary of State’s office provided an actual report from Colorado’s statewide system that included all cancelled voters since July 21, 2008 and the reasons for cancellation. Those numbers are as follows:

Reason for Cancellation	Total
Moved out of County/State	6,572
Duplicate	4,434
Failed 20-day period	1,136
Deceased	1,145
Convicted Felon	544
Withdrawn	203
Not a Citizen	13
Voter Fraud	2
TOTAL	14,049

In revisiting the numbers, the state did identify 2,454 duplicate voter records that were cancelled within the 90-day window referenced in the National Voter Registration Act (NVRA). Coffman did say that he was checking with the state Attorney General’s office for an interpretation of NVRA.

Last year, the state began developing the statewide voter registration database (SCORE) and consolidating the voter records of 64 counties into one system. SCORE was deployed statewide in April of 2008 and allows real-time access for counties to verify voter information through Colorado state agencies and identify duplicate records from other counties.

“Centralizing the state’s voters helped to consolidate the rolls by identifying duplicate voters across county lines and providing additional verification tools,” said Coffman.

Coffman also encouraged Colorado voters to visit www.GoVoteColorado.com, where they can verify their own voter registration information to ensure it’s up to date and accurate.

#

APPENDIX E

Voter Registration Figures-July 31, 2008

County	Status																Total INACTIVE	County Totals
	Active							Total ACTIVE	Inactive									
	ACP	DEM	GRN	LIB	REP	UNA	UPA		ACP	DEM	GRN	LIB	CRP	REP	UNA	UPA		
Adams	65	53,722	160	382	40,070	49,399	0	143,798	8	18,490	31	95	0	14,884	27,421	0	60,929	204,727
Alamosa	0	2,471	7	6	2,055	1,467	0	6,006	0	755	6	5	0	615	948	0	2,329	8,335
Arapahoe	91	83,430	239	694	87,872	68,299	0	240,625	4	21,651	62	127	0	22,313	35,003	0	79,160	319,785
Archuleta	0	1,527	21	19	3,628	1,441	0	6,636	0	438	4	2	0	1,072	708	0	2,224	8,860
Baca	0	901	0	0	1,076	381	0	2,358	0	144	1	0	0	187	161	0	493	2,851
Bent	2	800	1	1	715	414	0	1,933	0	260	1	1	0	152	286	0	700	2,633
Boulder	26	66,211	616	615	33,639	54,161	1	155,269	5	13,788	246	156	0	9,624	24,367	0	48,186	203,455
Broomfield	6	8,055	29	88	9,501	8,674	0	26,353	2	1,622	10	19	0	2,168	3,474	0	7,295	33,648
Chaffee	5	2,754	29	25	3,931	2,816	1	9,561	0	558	6	7	0	872	1,063	0	2,506	12,067
Cheyenne	1	196	0	3	792	199	0	1,191	0	36	0	0	0	125	75	0	236	1,427
Clear Creek	1	1,716	16	23	1,965	2,015	0	5,736	0	319	1	8	0	422	613	0	1,363	7,099
Conejos	1	2,162	1	4	1,422	387	0	3,977	0	486	0	0	0	335	196	0	1,017	4,994
Costilla	1	1,408	0	0	223	241	0	1,873	0	300	0	1	0	89	103	0	493	2,366
Crowley	0	461	0	1	808	317	0	1,587	0	106	0	0	0	183	128	0	417	2,004
Custer	2	516	7	6	1,841	616	0	2,988	0	77	1	1	0	206	94	0	379	3,367
Delta	15	3,343	36	56	7,154	4,131	0	14,735	2	903	18	12	0	1,822	1,868	0	4,625	19,360
Denver	180	131,286	793	1,006	46,185	77,342	1	256,793	4	49,526	315	397	0	24,511	57,833	0	132,586	389,379
Dolores	0	471	3	1	495	264	0	1,234	0	67	0	2	0	77	97	0	243	1,477
Douglas	34	28,768	78	219	64,984	36,892	0	130,975	3	6,803	21	63	1	17,869	14,751	0	39,511	170,486
Eagle	10	5,700	56	67	6,074	8,509	0	20,416	0	1,649	18	10	0	2,127	3,676	0	7,480	27,896
El Paso	83	55,425	252	680	122,037	74,090	0	252,567	8	19,349	104	215	0	35,010	39,609	0	94,295	346,862
Elbert	9	1,991	8	19	6,638	3,221	0	11,886	0	521	2	1	0	1,664	1,338	0	3,526	15,412
Freemont	4	6,081	34	69	10,871	7,234	0	24,293	0	892	2	8	0	1,456	1,495	0	3,853	28,146
Garfield	3	5,757	52	44	7,472	8,887	1	22,216	1	1,443	14	25	0	2,169	3,443	0	7,095	29,311
Gilpin	0	1,064	11	22	846	1,241	0	3,184	0	377	14	3	0	378	757	0	1,529	4,713
Grand	1	2,006	21	15	3,865	2,559	0	8,467	0	436	3	6	0	876	1,050	0	2,371	10,838
Gunnison	4	2,798	46	32	2,486	3,441	0	8,807	1	738	18	7	0	891	1,476	0	3,131	11,938
Hinsdale	0	109	2	0	419	103	0	633	0	15	0	0	0	43	30	0	88	721
Huerfano	0	2,294	3	11	1,012	827	0	4,147	0	150	0	0	0	88	89	0	327	4,474
Jackson	0	121	0	3	631	115	0	870	0	39	0	2	0	251	126	0	418	1,288
Jefferson	65	86,718	309	710	97,130	78,767	2	263,701	8	21,863	109	235	0	27,095	37,361	1	86,672	350,373
Kiowa	0	234	0	1	552	207	0	994	0	33	0	1	0	51	63	0	148	1,142
Kit Carson	0	705	1	2	2,100	770	0	3,578	0	142	0	0	0	455	395	0	992	4,570
La Plata	9	8,971	129	91	9,077	8,653	0	26,930	0	1,891	48	28	0	2,386	3,796	0	8,149	35,079
Lake	0	1,605	14	9	653	939	0	3,220	0	399	6	5	0	216	511	0	1,137	4,357
Larimer	57	44,677	378	490	58,256	50,748	0	154,606	8	8,996	136	117	0	13,429	19,493	0	42,179	196,785
Las Animas	3	3,821	3	10	1,632	1,199	0	6,668	1	1,058	4	1	0	455	534	0	2,053	8,721
Lincoln	0	525	1	6	1,527	615	0	2,674	0	81	0	2	0	184	123	0	390	3,064
Logan	2	2,084	1	11	4,857	2,429	0	9,384	0	396	1	0	0	720	870	0	1,987	11,371
Mesa	31	14,876	80	184	29,675	19,771	0	64,617	2	4,495	26	58	0	8,797	10,407	0	23,785	88,402
Mineral	0	364	2	1	216	149	0	732	0	7	0	0	0	4	6	0	17	749
Moffat	2	1,009	3	8	3,314	1,613	0	5,949	0	372	1	1	0	987	961	0	2,322	8,271
Montezuma	0	3,234	37	21	5,543	3,306	0	12,141	0	990	15	8	0	1,552	1,555	0	4,120	16,261
Montrose	9	3,687	22	51	8,469	5,642	0	17,880	0	956	13	14	0	2,226	2,397	0	5,606	23,486
Morgan	3	2,492	3	18	4,867	2,820	0	10,203	0	676	0	18	0	1,183	1,286	0	3,163	13,366
Otero	1	2,936	0	8	3,021	2,017	0	7,983	0	1,174	3	2	0	893	1,236	0	3,308	11,291
Ouray	0	792	7	8	1,347	774	0	2,928	0	186	4	6	0	354	288	0	838	3,766
Park	7	2,109	9	47	3,811	3,063	0	9,046	0	635	9	18	0	1,087	1,330	0	3,079	12,125
Phillips	0	524	0	6	1,534	619	0	2,683	0	61	0	0	0	133	102	0	296	2,979
Pitkin	1	3,278	37	19	1,904	4,113	0	9,352	0	850	13	10	0	757	1,530	0	3,160	12,512
Prowers	2	1,268	1	3	2,119	1,351	0	4,744	0	402	0	4	0	649	566	0	1,621	6,365
Pueblo	12	34,909	52	106	17,691	19,043	0	71,813	1	9,618	18	28	0	5,280	9,731	0	24,676	96,489
Rio Blanco	4	431	3	8	2,095	738	0	3,279	0	130	1	1	0	478	287	0	897	4,176
Rio Grande	2	1,808	1	3	2,518	1,151	0	5,483	0	510	1	3	0	583	579	0	1,676	7,159
Routt	6	3,887	70	64	3,912	4,314	0	12,253	1	880	37	14	0	1,168	1,793	0	3,893	16,146
Saguache	0	1,311	10	19	629	674	0	2,643	0	458	8	15	0	230	355	0	1,066	3,709
San Juan	1	162	0	5	133	253	0	554	0	3	0	0	0	5	4	0	12	566
San Miguel	0	1,991	40	28	774	1,531	1	4,365	0	538	32	13	0	311	701	0	1,595	5,960
Sedgwick	0	331	0	0	932	380	0	1,643	0	41	0	0	0	95	72	0	208	1,851
Summit	2	4,187	92	42	4,064	6,423	0	14,810	0	1,260	46	14	0	1,546	3,121	0	5,987	20,797
Teller	3	2,329	12	36	6,114	3,609	0	12,103	0	893	4	23	0	2,095	1,953	0	4,968	17,071
Washington	2	367	0	1	1,747	428	0	2,545	1	67	1	0	0	278	170	0	517	3,062
Weld	70	25,430	103	250	40,626	32,580	0	99,059	19	6,539	50	77	0	9,904	14,418	0	31,007	130,066
Yuma	1	969	0	4	2,403	1,267	0	4,644	0	174	0	4	0	490	465	0	1,133	5,777
State Totals	839	737,565	3,941	6,381	795,949	681,639	7	2,226,321	79	208,712	1,484	1,893	1	228,555	340,737	1	781,462	3,007,783