TAKING BACK THE STATES

On November 6, Democrats won back a third of the nearly 1,000 state legislative seats they lost during Obama's presidency.

by JOAN WALSH

Can they keep the momentum going?

AFTER A SURGE OF FIRST-TIME DEMOCRATIC candidates flipped 15 seats in Virginia's House of Delegates last year, the state quickly expanded Medicaid, extending coverage to 400,000 uninsured residents. And those 2017 state legislative victories kept paying off: On Election Day 2018, they helped three female candidates take Republican seats in the US House of Representatives, giving Democrats a majority of House districts—seven of 11—in gerrymandered Virginia.

One of those women, former CIA agent and first-time candidate Abigail Spanberger, beat Representative Dave Brat, the Tea Party candidate who scored a surprising win over House majority leader Eric Cantor in the 2014 Republican primary. Spanberger's victory was a major upset,

Democrats flipped 380 state legislative seats and seven chambers.

but it shouldn't have come as a complete surprise. Last year, Democrats shocked the GOP by picking up three statehouse seats in Brat's district; according to Justin Jones, Spanberger's communications director, "That laid the groundwork for this campaign. They knocked on doors that hadn't been knocked on in years; they identified voters that had never talked to Democrats before. It made a huge difference."

Democrats lost 968 state legislative seats under President Obama, and in the wake of Donald Trump's election, a roster of new groups sprang up to reverse the trend, recognizing that state governments have significant jurisdiction over voting rights, reproductive health, labor laws, and business regulation. Around the country, these newly formed groups took heart from last year's results in Virginia and mounted major campaigns to find, train,

and support state candidates. Those efforts mostly paid off: Of the 6,066 legislative seats that were up for election on November 6, more than 5,300 had Democratic challengers or incumbents, according to the Democratic Legislative Campaign Committee (DLCC)—a big jump over recent midterms.

So far (some votes are still being counted), Democrats have won a total of 2,908 seats, or more than half of those they contested; 1,173 of the winners are women, 842 are candidates of color, and 84 are LGBTQ. Democrats have now picked up 380 Republican seats—more than a third of the total lost in three national elections under Obama—in just one year. Add to that the 44 they'd already flipped from red to blue, in Virginia and in special elections, and they're up 424 seats in the age of Donald Trump. With more strong challengers, more money, and better strategy, getting the rest of those 968 seats back in 2020 doesn't seem out of reach.

Still, despite the new focus, there is no organized Democratic equivalent to the GOP's REDMAP, a national plan developed by Republican operators and donors to control redistricting by ending Democratic majorities in state governments after Obama's election in 2008. That investment paid off: In the 2010 election cycle, the Republicans flipped 20 legislative chambers and some 700 seats—more than twice the Democrats' 2018 gains.

This year, the DLCC raised a record $35 million, to the Republicans' approximately $50 million. But GOP incumbents in many states were sitting on big war chests from local business interests, and Democratic challengers needed more help to compete. The snafus and outright voter suppression that may have doomed several high-profile Democratic contenders—in Florida, where, after recounts, Andrew Gillum and Bill Nelson conceded their respective bids for governor and US senator; and in Georgia, where, in a heartbreaking speech acknowledging that she will not be her state's next governor, Stacey Abrams decried the poll closures and other anti-democratic measures that her supporters faced—illustrate what happens when Republicans rig voting rules. "2016 showed us how much power state governments have over elections. And yet, this year, we're having the same conversations about the Abrams, Gillum, and Nelson races—all while still underinvesting in state races," says Catherine Vaughan, the co-founder of Flippable, one of the post-Trump groups focusing on statehouses.

PERHAPS THE MOST SIGNIFICANT RESULT OF THE 2018 state elections is that the groups who declared their intentions to work on them last year showed up and got results. That list includes the powerful Democratic women's PAC Emily's List; the fledgling Run for Something, which recruits millennials for state and local races; longtime player *DailyKos* and the upstart Data for Progress (both of which raised roughly $900,000 for state legislative candidates); Flippable and the People PAC, which made 200 videos for candidates in six states; the data-driven EveryDistrict; SisterDistrict, which matched blue-district volunteers and donors with promising but underfunded red-district challengers; and newcomers like Forward Majority and the National Democratic Redistricting Committee, both founded by Obama-administration alums to focus on states with redistricting implications. All told, the new groups put millions of dollars and dozens of staffers into flipping state races, alongside a beefed-up DLCC.

Despite recent wins, there is still no Democratic equivalent of the GOP's national REDMAP plan.

Taking charge: On election night, Colorado's victorious Democratic candidates celebrated taking control of the state Senate.

If those 382 Democratic legislative flips sound good, maybe even more important is that Democrats have gained control of eight chambers under Trump: the state senates in Colorado, Connecticut, Maine, New York, and New Hampshire (after winning control of Washington State's upper chamber in a special election last year), and the House of Representatives in Minnesota (where they picked up an astonishing 18 seats) and New Hampshire. They cracked GOP supermajorities in five additional chambers, including both the House and Senate in North Carolina. Once Republicans lose a supermajority, Democratic governors can veto their extreme measures without fear of an override. Smashing the GOP supermajority in North Carolina will give Democratic Governor Roy Cooper more leverage, and it will also protect the Democratic majority on the state Supreme Court. Meanwhile, Democrats gained six supermajorities in another five states. Democrats also gained seven new governorships, giving the Republicans 25 to the Democrats' 23.

They also shattered four Republican "trifectas" (that's when one party holds both chambers of the state legislature as well as the governor's seat) and added six trifectas of their own. Republicans now hold 61 state chambers to the Democrats' 37. (Nebraska's unicameral legislature is nonpartisan.) This is crucial, because Republicans made their trifecta states laboratories of extremism after 2008, passing new restrictions on voting rights, reproductive health, labor rights, and environmental regulations. Democrats can now begin to roll back some of those awful laws.

In New York, a new Democratic trifecta will mean more liberal voting laws and the passage of a reproductive-health act. Marijuana legalization is on the Democratic agenda in New York and Minnesota, as are tax hikes for infrastructure spending. With a new Democratic governor and state Senate, Colorado may fund universal kindergarten and pre-K. New Democratic governors in Maine and Kansas will likely be able to expand Medicaid in those states, and there's now even a chance for it to happen in North Carolina. And with its new Democratic trifecta, Nevada could become the first state to introduce a Medicaid buy-in as a health-insurance public option (the legislature passed it last year, but the state's outgoing GOP governor vetoed it).

Even where Democrats didn't win chambers, they made inroads into GOP control in several key states. In Pennsylvania, they picked up at least 16 seats in the House and Senate. Democrats won at least eight seats in the Florida House and four in Michigan's. In Texas, Democrats won 12 seats in the House; Forward Majority invested more than $2 million in Texas alone.

Democratic governor. That means that Democratic governors now represent a majority of Americans—more than 175 million people." The governors will have an easier time managing because Democrats overcame big gerrymandering and big money to finish the 2018 election cycle with an overall gain of some 380 state legislative seats (for more, see Joan Walsh on page 18).

The swing to the Democrats was particularly pronounced in the Great Lakes states, where it can be argued that Trump won the White House in 2016. Although he lost the popular vote by almost 3 million ballots, Trump took the Electoral College on the basis of narrow victories in Wisconsin, Michigan, and Pennsylvania. On November 6, Democrats won every important statewide constitutional and US Senate contest in every one of those states.

It is understandable that, to the extent that states get attention in the Trump era, the focus will be on governors. But if Democrats want to figure out how to win in 2020 and beyond, they also need to pay attention to how contests were won for positions like secretary of state (Michigan just elected 41-year-old voting-rights advocate Jocelyn Benson to the post), state treasurer (Wisconsin's 37-year-old Sarah Godlewski is preparing to address everything from student debt to climate change), and lieutenant governor.

There really are new ways to win, as the stunning turnaround in Wisconsin illustrates. For eight long years, progressives there sought to displace Walker, the anti-labor zealot who became a poster boy for the extreme right-wing politics that overtook the state following the Republican wave election of 2010. When Trump won there in 2016, commentators peddled the idea that Wisconsin had abandoned its progressive heritage and swung into the Republican column. As a result, conservatives were quick to dismiss Democratic gubernatorial nominee Tony Evers, a 67-year-old educator and administrator who acknowledged that he might not be the party's most dynamic speaker. Nothing about Evers shouted "new politics"—yet he embraced it with an enthusiasm that other senior Democrats would be wise to emulate. Instead of demanding the spotlight, as gubernatorial candidates frequently do, Evers shared it with Mandela Barnes, his millennial running mate. Yard signs highlighted the names of both nominees; the two appeared at campaign rallies together; and the notion that this was a genuine ticket took hold.

"Democratic governors now represent a majority of Americans."

—Jay Inslee, chair, Democratic Governors Association

A social-media whiz—his Twitter handle is @TheOtherMandela—Barnes made the ticket edgier, poking at Walker, defending progressive policies, and reimagining the state's No. 2 job as a link between grassroots activists and government. As the election approached, Evers and Barnes toured campuses and communities across the state on a school bus with Senator Tammy Baldwin, along with Josh Kaul and Sarah Godlewski, the party's millennial candidates for attorney general and state treasurer. At every stop, they encouraged voters to think not just of electing a governor but of electing a full slate that included two women and an African American, and gave young down-ballot candidates not just attention but a promise of power. Baldwin, the first out LGBTQ senator in the country's history, was a strong contender on her own. But the rest of the candidates needed one another, and Evers addressed that need by embracing Barnes and the next-generation politics he represented. There's a lesson here for the Democratic Party: Embracing the new politics and welcoming candidates who embody it, as Tony Evers welcomed Mandela Barnes, is a winning strategy. ∎

But amid this flurry of wins were some big disappointments. Chief among them was Ohio, where Democrats were thrilled to field a full slate of candidates for the legislature for the first time since 2000. But the same rural red tide that defeated gubernatorial candidate Richard Cordray doomed most Ohio Democrats.

VIRTUALLY ALL OF THE NEW GROUPS SAY THAT NOT ENOUGH Democratic donors invested in this crucial effort. "Democrats outraised Republicans two-to-one in congressional races, but were outraised up to five-to-one in state races," says Flippable co-founder Catherine Vaughan, citing research by Forward Majority. One major player in the field told me that she approached several top Democratic donors, but couldn't get much investment in the state races.

Forward Majority's Ben Wexler-Waite notes that Democrats failed to pick up a single chamber that could have an impact on redistricting. But one big win on that front was defeating Scott Walker in Wisconsin; Governor-elect Tony Evers can now veto bad redistricting plans. GOP gerrymandering is part of the reason that Wisconsin Democrats couldn't take the state House or Senate: They won a majority of the vote for the legislature, but roughly 40 percent of the seats. In Ohio, the GOP kept its statehouse supermajorities despite winning only 50.3 percent of the vote.

The 2018 gains in Texas, Pennsylvania, Florida, Michigan, and North Carolina, however, will help lay the foundation for more 2020 wins in these crucial redistricting states. Flipping the Texas House, for instance, could force Republicans to develop fairer redistricting maps, which is crucial, since the state's rapid population growth means it will add as many as three US House seats after the 2020 Census. But in some state races with similar concerns, Democrats couldn't do much to move the needle.

The National Democratic Redistricting Committee also wants to see Democrats focus more on the states that matter in 2020. But the NDRC's Patrick Rodenbush points out that Colorado, Michigan, Missouri, Ohio, and possibly Utah (where votes are still being counted) passed redistricting reform measures that will create "a more fair process." SisterDistrict just announced a new 2020 push focused on redistricting states, as did Run for Something. "We're going to hustle hard to recruit candidates to run against every incumbent Republican, but especially in states where redistricting is a priority," says co-founder Amanda Litman.

Despite the disappointments, *DailyKos*'s Carolyn Fiddler emphasizes that the 2018 statehouse gains will make life better for millions of people. "By flipping key state legislatures and governorships and stripping Republicans of total government control in key swing states, Democrats are rebuilding real power at all levels of the ballot," she says.

Right now, many of these groups are gearing up again for the 2019 elections in Virginia, where Democrats need only one seat to flip the House of Delegates, while defending 16 brand-new incumbents. But will they have the resources in 2020 to complete the job? Presidential-year turnout is always higher for the party, but so is competition for funding.

The People PAC's Chris Bachman notes that GOP-controlled statehouses can still thwart Democrats' presidential hopes in crucial swing states like Wisconsin, North Carolina, and Florida, where new voter-ID and other laws no doubt suppressed turnout for Hillary Clinton in 2016. Here's hoping the bad news of 2018 convinces more donors and Democratic leaders that even more resources must flow toward ousting the vote-suppressing Republican lawmakers who made victory in those states impossible. ∎