

45. In the *Politico* story from which the previous Shays's quotation was taken, reporter David Rogers ("Will Connecticut's Shays be Ousted?") noted that Shays has "no hesitation that he knows where that high ground is. 'I go where the truth takes me,' he says at a Fairfield debate. 'It's part of being independent and part of being bipartisan, and it's what makes me effective.'"
46. Quoted in Keppler, "Bridgeport Killed Chris Shays."
47. Lonny Grimaldi, quoted in *ibid*.
48. All quotations in the above paragraph were taken from "Christopher Shays Concedes in 4th Congressional District." November 4, 2008, available at <http://www.westportnow.com> (accessed May 16, 2009).
49. Raymond Hernandez, "Ex-Congressman Says Campaign Manager Embezzled Funds," *New York Times*, May 1, 2009, A18.

CASES IN CONGRESSIONAL CAMPAIGNS;
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6 Painting the High Plains Blue Musgrave vs. Markey in Colorado's Fourth Congressional District

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The radical homosexual lobby, abortionists, gun-grabbers and all the rest of the extremists finally spent enough money, spread enough lies and fooled enough voters to defeat me.

—Marilyn Musgrave¹

Prior to 2008, Republican Marilyn Musgrave earned a reputation as a strong closer, surging in the final days of elections that often seemed too close to call. Her 2006 reelection race against Democrat Angie Paccione was a nail-biter by any standard, with polls decidedly uncertain right before the election. Musgrave ultimately won that contest by fewer than 3 percentage points. Republicans hoped for a repeat performance in 2008. If Musgrave could survive the harshest electoral environment for Republicans in a generation, presumably she could see another reelection campaign through.

Yet it was not to be. The continued unpopularity of President Bush, combined with a meltdown of the financial sector, key demographic changes in Musgrave's congressional district, and the skills of her new challenger conspired to cost Musgrave her seat in Congress. This time, there would be no last minute rally by the incumbent.

A myriad of factors made it difficult for Marilyn Musgrave to play defense in 2008 against Betsy Markey. Elements examined in this chapter include: Musgrave's own political history, the background of her challenger, the strategies and tactics employed during the campaign, and the shifting electoral environment, both in the district and nationally. The resulting picture is one of a seat that was almost impossible for the incumbent to successfully defend given the political conditions.

The District

Colorado's 4th Congressional District is a largely rural one, spanning roughly the eastern third of the state. Noticeably, it contains none of the mountains for which Colorado is famous. Rather, the district is defined by high plains terrain, with agriculture the predominant interest. As *Congressional Quarterly* describes it, the district "looks more like Kansas than Colorado."² Indeed, Colorado's 4th

District is home to some of the most intensive cattle and wheat production in the country, along with a substantial meatpacking industry. The other major industry is higher education, as the district hosts both Colorado State University and the University of Northern Colorado. The district overall is 79 percent White, 17 percent Hispanic, and only 1 percent each African American and Asian.

The district is so vast that it actually borders on five other states—Wyoming, Nebraska, Kansas, Oklahoma, and New Mexico. The most densely populated part of the district lies in the cities along the I-25 corridor north of Denver; 86 percent of the votes cast in the district in 2008 came from just three of the district's 18 counties: Boulder, Larimer, and Weld. These counties are, respectively, home to the district's largest cities: Boulder, Fort Collins, and Greeley.

The district is relatively conservative, with its Democratic presidential vote share in the past few elections running 5 to 6 points behind that of the state of Colorado. Prior to 2009, it had been represented consistently in Congress by a Republican since 1974, and its last Democratic incumbent, Wayne Aspinall, was distinguished for his opposition to the early environmental movement. As of January 2009, registered Republicans outnumbered registered Democrats in the district by about 37,000 voters, which is in contrast to trends statewide where newly registered Democrats outnumbered Republicans 4:1 in the lead-up to the presidential election (see chapter 1). However, more than 110,000 active voters (31% of all active registrants) in the district classified themselves as unaffiliated and could easily tip the balance one way or another in a general election.³

The district's political stripes have been shifting rapidly in recent years, driven in large part by substantial population growth in the northern counties. Between 2003 and 2007, Boulder County grew by 3.7 percent, Larimer County grew by 6.9 percent, and Weld County grew by an astounding 15.5 percent. These high-growth counties make up the more urban and suburban parts of the district. There has been little growth in the more rural areas. These trends mirror recent changes statewide, as Colorado has experienced substantial population growth in recent years, with at least a third of new migrants coming from California. The rest have arrived primarily from Arizona, Florida, Illinois, New Mexico, New York, and Texas, and have largely settled in and around the Denver metropolitan area.⁴

These shifting political currents were noted in the most recent *Cook Political Report* rankings of congressional districts. Based on its votes in 2000 and 2004, Cook had given the 4th District a rating of R+9, meaning that Republicans tend to do an average of 9 points better in this district than their national average. More recent ratings, based on votes from 2004 and 2008, reevaluated the district as R+6. Only 11 other congressional districts had a bigger leftward shift during this time period.⁵

The Incumbent: Republican Marilyn Musgrave

Marilyn Musgrave was born and raised in what is now Colorado's 4th District. She grew up poor, the daughter of an itinerant meatpacker, and she put herself

through Colorado State University by waiting tables and cleaning houses. She and her husband met in Bible camp and attended school together, marrying soon after college. She worked as a school teacher for a time, and then became involved with the family's hay farm while they raised four children. Musgrave's experiences as an educator, a small businessperson, and a parent would inform her later career.

Throughout her service as an elected official, Musgrave has focused on social issues, advocating for a culturally conservative worldview. She first ran for office in a 1991 school board race, winning a seat on the Fort Morgan School Board, where she distinguished herself through her efforts to instill an abstinence-only focus in the district's sex education curriculum. She was then elected to the Colorado House of Representatives in 1992 and to the state Senate in 1998. In both chambers, she focused on a number of hot-button social issues, seeking to limit access to abortion and to allow concealed handguns in public places. Musgrave brought much attention to herself, however, through her work to prevent same-sex couples from marrying or from adopting children.⁶ The state ban on same-sex marriage that she authored, which was rejected multiple times during the 1990s by Democratic Governor Roy Romer, ultimately became law with Republican Governor Bill Owens's signature in 2000.

She continued work on this controversial issue after her 2002 election to the U.S. House of Representatives. She was one of the primary House sponsors of a proposed amendment to the U.S. Constitution that would have instituted a federal ban on same-sex marriages. In a 2006 speech to the Family Research Council, Musgrave famously remarked, "As we face the issues that we are facing today, I don't think there's anything more important out there than the marriage issue." This statement invited criticism during the 2006 contest that Musgrave was single-mindedly focusing on same-sex marriage at the expense of more tangible issues important to her district's voters.⁷

To judge from interest group ratings, Musgrave maintained a very conservative voting record throughout most of her tenure in Congress (see Table 6.1).

Table 6.1 Congressional Vote Scores for Marilyn Musgrave, 2003–2008

Year	American Conservative Union	Americans for Democratic Action	Presidential Support	Party Unity
2008	87	25	67	97
2007	100	5	88	97
2006	96	0	89	98
2005	100	0	89	98
2004	96	15	85	96
2003	100	0	85	98

Source: 2003–2006 scores from various editions of *CQ's Politics in America*; 2007–2008 American Conservative Union (ACU), and Americans for Democratic Action (ADA) scores from the organization Web sites; 2007–2008 party unity and presidential support scores from *CQ Weekly Report*.

At least during her first two terms in office, the American Conservative Union (ACU) gave her ratings of close to 100 while her scores from Americans for Democratic Action remained near zero during this time. She remained a strong supporter of President Bush, voting with him between 85 and 89 percent of the time, and she nearly always voted with her party on roll call votes in the House. Her final term in office gives some evidence of moderation, however, as her ADA score rose and her ACU and presidential support scores dropped.

Interestingly, when one takes a broader look at her voting record, Musgrave appears to be somewhat less doctrinaire. Her DW-NOMINATE score⁸ throughout her three terms in Congress was .663, just slightly more conservative than fellow Colorado Republican Representative Bob Beauprez of Lafayette and considerably more liberal than Representatives Joel Hefley of Colorado Springs (the home of the conservative group Focus on the Family) and Tom Tancredo of Littleton. These scores made her the 42nd most conservative member of Congress in 2003 and 2004; by comparison, Tancredo was the fourth. Even if Musgrave's overall record could be defined as moderate to conservative, it was her outspoken stances on issues relating to gays and lesbians that drew attention to her election after election.

Her tenacious focus on same-sex marriage ultimately caught the eye of Colorado's "Gang of Four," an informal group of wealthy state Democratic activists and donors who devote their considerable resources to ousting Republicans from office and fighting discriminatory initiatives.⁹ The "gang's" members include Pat Stryker, the heiress to her family's medical supply company; computer entrepreneurs Tim Gill and Rutt Bridges; and businessman Jared Polis, who in 2008 got elected to Congress from Colorado's 2nd Congressional District. According to Jason Thielman, Musgrave's 2008 campaign manager, Stryker and Gill, in particular, "made it a personal vendetta [to unseat Musgrave]. They decided it was their right to determine who would represent the 4th in Congress."¹⁰ Indeed, Stryker donated \$175,000 to the Defenders of Wildlife Action Fund, which, in turn, spent roughly \$1.5 million in 2008 to try to remove Musgrave from office. It is unclear to what extent Gill was involved in this effort.¹¹

Musgrave has not charted the electoral path of the typical member of Congress. While she first took office with 57 percent of the two-party vote, she did not enjoy the "sophomore surge" experienced by many members during their first reelection campaigns. Indeed, her share of the vote declined each time she ran. She won a mere 53 percent of the two-party vote in her 2004 rematch with Stan Matsunaka, and barely 51 percent in her 2006 battle with Angie Paccione.

The Challengers: Betsy Markey and The Democrats

In the past, Musgrave's opponents for the 4th Congressional District seat were typically chosen for their moderate to liberal credentials. Her opponent in both 2002 and 2004 was Democrat Stan Matsunaka of Loveland, the president of the state Senate. Matsunaka was every bit as homegrown as Musgrave: his family had settled in Eastern Colorado a century earlier and he was raised in the rural

areas of the 4th District. The overall Republican tilt of the district carried Musgrave to an easy victory in the 2002 open-seat race, although Matsunaka made inroads in their 2004 rematch, calling attention to some of Musgrave's more provocative statements on same-sex marriage. Musgrave's 6-point victory that year was actually the closest electoral margin the district had seen since 1974. That record was shattered two years later, when Democrat Angie Paccione, a member of the state House of Representatives, came within 3 percentage points of unseating Musgrave.

We can evaluate the partisan voting habits of Musgrave's previous opponents because they served in Colorado's state legislature and have roll call voting records. These roll calls can be aggregated to form W-NOMINATE ideal points ranging from -1 (the most liberal) to +1 (the most conservative).¹² Although these cannot be compared across different chambers or sessions, they are still helpful in interpreting the basic voting pattern of a legislator.

Matsunaka, Musgrave's opponent in 2002 and 2004, rated a -.455 during the 1999 to 2000 state Senate session. Although this makes him the third most conservative Democrat in the state Senate during that session, it was still a relatively liberal course to chart in a district that voted 58 percent to 42 percent for Bush over Gore in 2000. In the 2003 to 2004 session of the state House, Angie Paccione, Musgrave's 2006 opponent, rated an ideal point of -.534, making her the 22nd most liberal of the chamber's 31 Democrats. In short, in a fairly Republican district, Musgrave was facing off against candidates she could paint as being to the left of the district's voters.

The 2006 race was particularly challenging for Musgrave and heartbreaking for Colorado Democrats. The race was considered a tossup by many leading political observers. A brutal and expensive advertising war focusing on various charges of corruption defined the final week of that election, with Musgrave pulling away in the last few days. Despite Paccione's loss, the close nature of the election, and Musgrave's steadily eroding vote shares over the years suggested to Democrats that the right candidate with enough resources could flip the district.

In 2008, three Democratic candidates originally tossed their hats in the ring for a chance to face Musgrave. While Musgrave's previous opponents were members of the state legislature, Betsy Markey had never held public office. Markey was no stranger to politics, however, having served as U.S. Senator Ken Salazar's regional director of Colorado's north central and eastern plains since early 2005. This was a position that exposed her to many of the issues facing the voters of the 4th District. She had additional prior government experience through her service with U.S. Senator John Durkin (D-NH) and U.S. Representative Herbert Harris (D-VA) after college and her work on computer security at the U.S. State Department during Ronald Reagan's second term. She and her husband chose to leave the Washington, DC area in 1995 to raise their children in Fort Collins, where she cofounded and ran a successful software company and a coffee shop.

Many of the district's prominent Democrats were torn over whether to support Markey or the previous Democratic nominee, Angie Paccione. Certainly, Paccione had the proper credentials. She was a professor of education at Colorado State University, served as a state legislator from 2002 to 2006, and had come within 3 points of unseating Musgrave two years earlier. With her expanded name recognition and the increased vulnerability of Musgrave, Paccione looked like a strong candidate. The 2006 race, however, also brought to the surface a past bankruptcy filing by Paccione that had proven politically damaging, and many of her supporters were concerned that a 2008 rematch would just produce the same results.¹³

A third candidate, Eric Eidsness, also entered the race. He ran in 2006 under the Reform Party banner, garnering 10 percent of the district's votes. Eidsness was a lifelong Republican and a former Reagan administration appointee to the Environmental Protection Agency, but switched his party registration to Democratic for the 2008 race. A Vietnam veteran, Eidsness was eager to challenge Musgrave on the basis of her support of the Iraq War.

The nomination battle never went to a primary contest or even a congressional district assembly.¹⁴ The three Democratic candidates essentially fought it out through a fundraising and endorsement derby. Paccione, a proficient fundraiser, raised roughly \$100,000 in the third quarter of 2007, compared to Markey's \$60,000 during the same period. Paccione also boasted the backing of state Senate President Peter Groff (D-Denver) and former Denver Mayor Wellington Webb. Although Denver does not lie within the 4th Congressional District, Webb remains a popular and well-known figure among Democrats throughout the state. Moreover, the more populous areas of the district are just outside Denver's city limits. While Markey ran behind Paccione in fundraising, she nonetheless grabbed the endorsements of U.S. Rep. Diana DeGette (D-Denver) and her former boss Senator Ken Salazar.¹⁵ Several current and former Democratic state senators from the region, including Bob Bacon, Peggy Reeves, and Stan Matsunaka (Musgrave's opponent in 2002 and 2004), also backed Markey.¹⁶

Offering some evidence for the idea that endorsements trump money in nominations battles,¹⁷ Paccione dropped out of the race in September of 2007 to join the business consulting firm Pathways to Leadership. Eidsness, whose lack of prominent endorsers and his multiple party affiliations in the previous few years did little to endear him to the Democratic base, dropped out a week later. This left Markey with no Democratic opponents and more than a year to introduce herself to the voters of the 4th District and build a case against the incumbent.

The General Election

From the outset, it looked to be a challenging reelection environment for Musgrave. There was only one poll, which was commissioned by the Musgrave campaign and done early in the campaign in March 2008, which showed Musgrave with a lead; the rest showed Markey with a modest but growing advantage.¹⁸ By June of 2008, the *Cook Political Report* had shifted its classification of the contest

from "Lean Republican" to "Tossup." This was partially due to shifting demographics and changes in voter registration in the state. It was also partially due to national events: President Bush and the Republican Party were proving even less popular overall than they had been two years earlier.

One of Musgrave's main tasks in reintroducing herself to the voters of the 4th District was to distance herself from President Bush. She made headlines in late 2007 by publicly criticizing U.S. progress in the Iraq War. "I'm discouraged," said Musgrave. "I do hope we will hear good things from Gen. (David) Petraeus about the troop surge and what it has done, but I am discouraged."¹⁹ In 2008, she still supported President Bush about two-thirds of the time, but her presidential support vote scores dropped a whopping 21 points (see Table 6.1). Musgrave, however, continued to support President Bush's politically unpopular veto of the State Children's Health Insurance Program (SCHIP).²⁰ This is an important vote because Democrats had been planning to use it against vulnerable Republicans and had even claimed it was moving poll numbers in other races including those Michigan's 9th District as well as in Missouri (9th District) and Virginia (2nd). In fact, the Democratic Congressional Campaign Committee (DCCC) had begun touting the importance of the SCHIP issue in late 2007. DCCC Chairman Chris Van Hollen noted in a strategy memo to colleagues in November of 2007, "...vulnerable Republicans who continue to vote in lock step with George Bush against SCHIP will be held accountable by their constituents."²¹

Musgrave also sought to bolster her bipartisan credentials by building high profile alliances with Democratic lawmakers on the 2007 farm bill and drought relief programs. She worked with Colorado Democrats to block expansion of the Army's Piñon Canyon maneuver site and to designate Rocky Mountain National Park as a wilderness area.²² Quite noticeably, Musgrave changed the tone of her fundraising appeals, describing her own personal struggles as a means of demonstrating empathy with voters. References to "radical homosexual leaders," common in her appeals in previous campaigns, were nowhere to be seen this time around.²³

After arriving on Capitol Hill in 2003, Musgrave proved that she could be a strong fundraiser. In the 2004 and 2006 election cycles she raised more than \$3 million. She also spent more than \$3 million in each cycle in what turned out to be hard-fought contests.²⁴ As the data in Table 6.2 show, she started 2008 with \$1 million cash on hand that she had raised in 2007. Normally, this would have been a tremendous asset to an incumbent, but 2008 proved to be a difficult fundraising environment for Republicans. As a result, Musgrave fell behind her fundraising marks from 2006²⁵ and raised less money than Markey in the last three quarters of the year. After July 1, the playing field leveled dramatically as Musgrave burned through her cash reserves. Overall, Musgrave spent just under \$3 million, which was less than she spent in her successful 2004 and 2006 reelection campaigns.

Markey, meanwhile, having functionally secured the Democratic nomination in late 2007, was able to start fundraising early for the general election. She began to see some return on her fundraising efforts in the latter half of 2008,

Table 6.2 Campaign Finance Data by Reporting Period for Colorado's 4th District, 2008

Reporting Period	Musgrave			Markey		
	Receipts	Disbursements	Ending Cash	Receipts	Disbursements	Ending Cash
2007 Year End						
(January 1 – December 31)	\$1,051,236	\$437,074	\$752,170	\$367,870	\$81,030	\$286,840
2008 April Quarterly (January 1 – March 30)	\$355,505	\$93,668	\$1,014,007	\$226,641	\$137,108	\$376,373
2008 July Quarterly (April 1 – June 30)	\$279,630	\$137,738	\$1,155,899	\$389,771	\$186,080	\$580,065
2008 Pre-primary (July 1 – July 23)	\$58,409	\$57,168	\$1,157,040	\$88,993	\$55,524	\$613,533
2008 October Quarterly (July 24 – September 30)	\$597,630	\$971,068	\$783,602	\$725,406	\$957,044	\$381,895
2008 Pre-general (October 1 – October 15)	\$150,022	\$609,114	\$324,510	\$383,590	\$539,687	\$225,798
2008 Post-general (October 16 – November 24)	\$401,077	\$628,558	\$97,028	\$694,814	\$885,662	\$34,950
Total	\$2,893,509	\$2,934,388	\$2,877,085	\$2,877,085	\$2,842,135	

Note: The 2007 Year End figures represent funds raised and disbursements in the campaign cycle to date.
Source: Compiled from candidate reports to the Federal Election Commission, Form 3, Lines 23, 24, 26 and 27, various dates.

raising about \$1.8 million. She was better funded than any of Musgrave's previous challengers, able to match Musgrave almost dollar for dollar in spending. Overall, she raised nearly \$2.9 million.

Perhaps the bigger story, in terms of campaign expenses, was the independent expenditure campaigns waged by various outside groups. The Defenders of Wildlife Action Fund, for example, spent roughly \$400,000 during July of 2008 on ads attacking Musgrave for supporting auto manufacturers over environmental needs.²⁶ By October, they had spent \$1.16 million on ads against Musgrave.²⁷ Similarly, VoteVets attacked Musgrave for a vote she cast opposing combat bonus for returning soldiers. "I expected the worst in Iraq," said one of the veterans in the advertisement. "I expected better from Marilyn Musgrave."

The two congressional campaigns ended up spending almost identical sums on the race (about \$2.9 million each), but outside money overwhelmingly favored Markey. This, explains Musgrave campaign manager Jason Thielman, was particularly damaging to the Musgrave campaign, as almost all these outside expenditures went toward negative advertisements. Such advertising "tears a person down without an equal and opposite force acting on that person's behalf," says Thielman.²⁸ "That drove up her negatives to such a point where it was easy for anyone to become an acceptable alternative." With that kind of lopsided negative campaign, says Thielman, "You could take Gandhi and turn him into a figure that scares children at night."

Meanwhile, the two major national parties spent more than \$2 million on the race. The DCCC spent much of its share in the race running ads portraying Musgrave as someone who put "special interests ahead of us." As one ad claimed,

...She accepted \$14,000 in pay raises, and voted Wall Street billions in tax breaks, but voted against a \$1,500 combat bonus, against a new GI bill to help veterans pay for college, and against providing health care for our National Guard when they come home....²⁹

Another ad produced an audio reenactment of her 1999 statement, "I never saw a campaign contribution I didn't like," and played it repeatedly throughout the ad.³⁰

The National Republican Congressional Committee (NRCC), meanwhile, ran ads attacking Markey for basically the same things that Musgrave attacked her for: ethics violations. Markey, it turned out, had remained with her software company, Syscom Services, for nine months after accepting her job with Senator Salazar's office, and during her time with Salazar, Syscom's federal contracts increased substantially. The Musgrave campaign produced a series of advertisements alleging that Markey used her contacts in Salazar's office to steer business to her old company. A report by the General Services Administration that found no improprieties did little to dissuade this line of attack.³¹

Another of Musgrave's advertisements alleged that Markey "got rich on noncompetitive, Haliburton-style government contracts" and had directed

government contracts to Syscom.³² Markey responded by filing suit in the Larimer County district attorney's office—running false campaign advertisements is a misdemeanor under state law. That lawsuit was delayed and later dismissed.

Markey's threats of legal action did little to deter Musgrave, who escalated the attacks in the final weeks of the campaign. Notably, the Musgrave campaign released an ad showing a Markey impersonator hooked up to a lie detector. When the impersonator denies improperly using her position to channel contracts to her business, a buzzer goes off on the lie detector machine, which reads out, "False detection." At no point is the impersonator described as such. The NRCC released an advertisement that hit on this same theme and included the line, "Betsy Markey tried to hide the truth from the public, but got caught."

Bailout Blues

The September collapse of the financial sector marked a politically difficult moment for many incumbents across the country. The Bush Administration asked Congress to produce a \$700 billion bailout package for various financial institutions, and worked with congressional leaders of both parties to craft legislation that could pass speedily and prevent further damage to the American economy.

Polling on the financial bailout suggested that opinions were sharply split, although virtually all respondents said that something had to be done soon. Incumbents were left in the difficult position of casting a politically unpopular vote that nearly everyone would be watching, less than two months from an election. It is no wonder, then, that the first vote on the bailout failed in the House. As analyses of the September 29 vote showed, supporters of the bill were predominately moderates and were not worried about reelection. Opponents were disproportionately ideologically extreme and were from competitive districts.³³ The votes across Colorado reflected these patterns. Rep. Mark Udall (D-El Dorado Springs), in a tight race for the U.S. Senate seat, voted no. Rep. Tom Tancredo (R-Littleton), who was retiring from the House, voted yes. Rep. Diana DeGette (D-Denver), who faced only token opposition in her safe Democratic district, also voted yes.

Musgrave, a conservative facing a tough reelection race, voted no. "Congress absolutely needs to listen to the American people," Musgrave said following the vote. "The calls into my office were overwhelmingly opposed to this bill."³⁴ Her exposure on this issue was reduced somewhat when her opponent, Markey, also criticized the bailout, claiming it did not include sufficient protection for taxpayers.

Although the two candidates roughly agreed on the bailout, the collapse of the nation's financial sector had a dramatic effect on the tone of the race. The economy suddenly became the overwhelming concern among voters, drowning out all other issues. This tended to work to Musgrave's disadvantage because she had built her reputation through strong stances on social issues. It also bolstered Markey, who had released an economic plan in the late spring of 2008. "We

were well positioned," says Anne Capara, Markey's campaign manager; "We'd built [Markey's] business credentials [early in the campaign]."³⁵

End Game

Two weeks before the election, the NRCC made a determination to cut off funding in support of Musgrave's campaign. This was a powerful signal sent by the national party, which had spent \$1.8 million helping Musgrave defend her seat two years earlier and had spent nearly a million dollars in the 4th District in the first half of October 2008 alone. The decision, however, reflected various political realities. The NRCC simply lacked the funds that its Democratic counterpart, the DCCC, was spending across the country. A few weeks earlier, the NRCC decided to stop spending in open-seat races and to just focus on protecting incumbents. Then it triaged further, deciding which seats it actually had a chance of holding. To many political observers, the NRCC's pullout from the 4th District represented the national party's decision that Musgrave could not hold the district, and that the money could be better used elsewhere.³⁶ The NRCC was forced to take similar action in other congressional races, as well, which left incumbents to play defense by themselves in the final days of the campaign.

The final days of the campaign were spent with an odd sort of asymmetry. Musgrave used her remaining funds on a sharply negative campaign, seeking to portray Markey as corrupt. Markey conversely went more positive, apparently believing that her negative ads had done their work and that a victory was likely. In the last week her ads shifted to a biographical nature, but her ad buy was very limited.³⁷ Although few public polls were conducted during the campaign, the most recent polls suggested Markey had a solid lead. The final two public polls of the campaign, one by SurveyUSA in late August and one by Grove Insight (commissioned by EMILY's List) in early September, showed Markey with a 7 and a 9-point lead over Musgrave, respectively.

The Results

On Election Day, few were shocked by Markey's victory, although the size of that victory proved surprising. Markey won by double digits, taking 56 percent of the two-party vote. Although Markey only outperformed Musgrave in three of the district's 18 counties (the three largest counties: Weld, Larimer, and Boulder), she outperformed the 2006 Democratic nominee's vote share in 13 counties. Weld County marked a particularly strong victory for Markey; she won it by 5,000 votes, even though it had gone to the Republican by 7,000 votes just two years earlier and even though McCain beat Obama in the county by 10 percentage points.

Figure 6.1 provides some evidence of Markey's exceptional performance, showing how she did in each of the 4th District's counties as compared to Barack Obama's vote totals in the presidential campaign. The diagonal line marks the

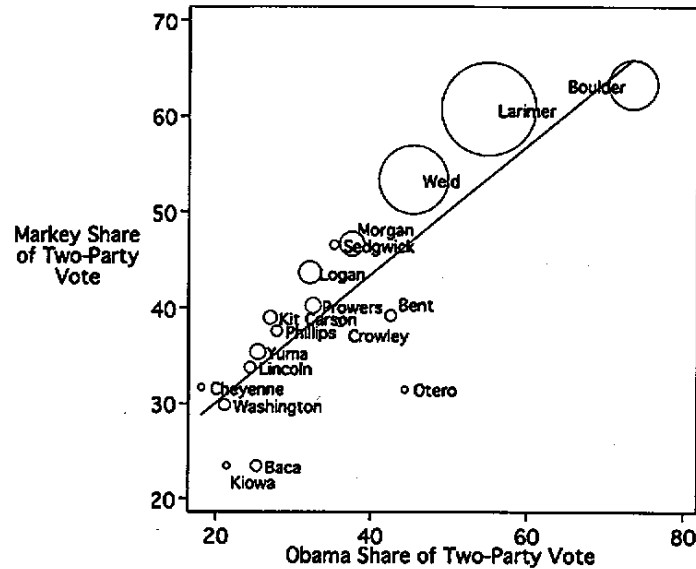


Figure 6.1 Obama and Markey performances by county in Colorado's 4th Congressional District, 2008. Note: Data points are weighted by the size of the 4th Congressional District electorate from each county. The diagonal line is the Obama=Markey line.

Markey–Obama line, meaning that any county above the line is one in which Markey's share of the vote was greater than Obama's. With the exception of Baca, Bent, Boulder, and Otero counties, Markey consistently outperformed Obama across the district in both moderate and conservative counties. District-wide, Markey ran 8 points ahead of Obama in what turned out to be the second biggest drubbing of an incumbent member of Congress in 2008.³⁸

Markey's large victory margin appears attributable, in part, to both her prodigious fundraising and to her widespread campaigning, which improved Democratic performance even in the more rural areas of the district. According to University of Northern Colorado political scientist Steve Mazurana, "Marilyn [Musgrave] didn't seem to work very hard during the campaign, while Betsy [Markey] was in more places and talked to more people.... She went door-to-door in these rural areas and small towns, and that means a lot to people who live there."³⁹

According to Markey's campaign manager, Anna Capara, part of the reason that Markey ran well ahead of Obama throughout the district was that the campaign maintained its own field organization separate from that of the Obama campaign or the state Democratic Party.⁴⁰ The 4th Congressional District, Capara notes, was not a target-rich environment for Obama or Democratic Senate candidate Mark Udall, who were seeking to win statewide, because it was predominately rural and relatively conservative. Markey, however, targeted

independents and even disaffected Republicans, and her campaign hired Wendy How, an experienced field organizer with the Service Employees International Union (SEIU), to run its grassroots effort. "We relentlessly pursued people we thought would be ticket splitters," says Capara.⁴¹

By the beginning of the summer of 2008, says Capara, the campaign realized that "what we have to do is pretty much never talk to a Democrat ever again." They made a particular focus on small, rural towns, identifying local opinion leaders and trying to arrange for them to have 15-minute meetings with Markey. In these meetings, says Capara, "nine times out of ten, I was getting a voter."⁴²

It is difficult to say how much Markey's strategy ended up mattering. Markey improved on the performance of Paccione, the Democratic nominee two years earlier, almost uniformly throughout the district. We can see evidence of this in Figure 6.2, a scatter plot of Musgrave's share of the two-party vote in the counties of the 4th Congressional District in 2006 and 2008. A diagonal line marks the 2006–2008 demarcation; if a county appears above the line, Musgrave did better in 2008 than she did two years earlier. In this plot, the county data points are weighted by the size of the 2008 electorate.

As the figure shows, Musgrave lost ground throughout the district between the two elections, although her vote share was up in a few counties. Her improvements over 2006 came exclusively in smaller counties. The three largest counties were not only the most liberal in the district, but also became less supportive

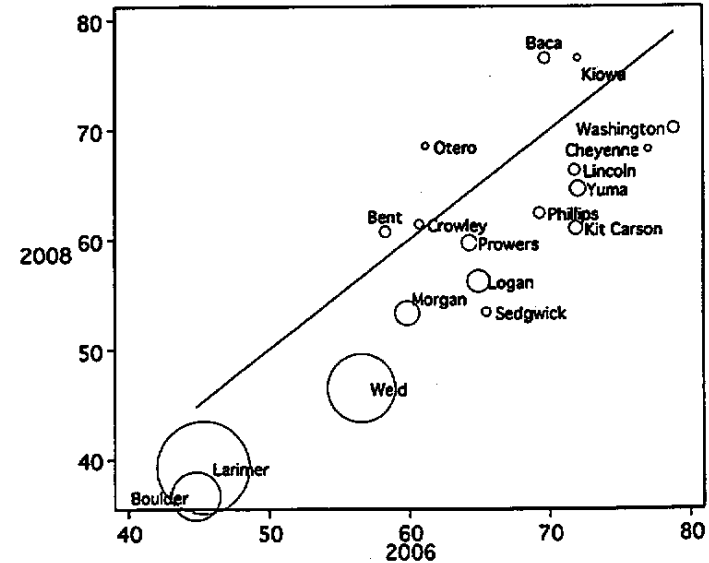


Figure 6.2 Musgrave two-party vote share by county, 2006 and 2008. Note: Data points are weighted by the size of the 4th Congressional District electorate from each county. The diagonal line is the 2006=2008 line.

of her between 2006 and 2008. Growth of these larger, more Democratic counties made the overall district even more hostile to Musgrave. This shift is also evidenced by the fact that George W. Bush beat John Kerry in this district 58 to 42 percent in 2004, but in 2008 John McCain only topped Barack Obama there by one percentage point. Even with this leftward shift in the district, however, Markey still made a substantial improvement over her Democratic predecessors: Musgrave ran 5 points behind the Republican presidential nominee in 2004 and 7 points behind him 2008.

The implication of this is twofold: First, Musgrave was never a great fit for the 4th District. The fact that she consistently ran behind the Republican presidential vote and that her vote share declined as her constituents got to know her better—the opposite trends from those of most members of Congress—suggest that her tenure was always in danger. Second, while the 4th remains a conservative district, it is growing steadily more moderate as outsiders flood into its more urbanized counties, which made it more difficult for her to defend her seat. All this is to say that characteristics of both the incumbent and the district contributed significantly to the outcome of the 2008 race, apart from any actions or strategic decisions by the two campaigns.

That said, the challenger's campaign was unusually disciplined and well-endowed, achieving what other experienced Democratic candidates could not do. Colorado's 4th District is surely near the top of the list of districts that Republicans will be seeking to take back in the 2010 midterm elections. Democrats are liable to face a difficult midterm election nationwide, as the president's party often does, and the district's conservative stripes will likely make this a difficult district for the Democrats to defend. It is additionally possible, should concerns over the national economy wane, that divisive social issues will reemerge that undermine Markey's 2008 winning coalition. Yet, Republican hopes for retaking the district are surely tempered by Markey's performance against a tenacious incumbent in 2008.

Notes

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9. The DW-NOMINATE procedure was developed by Keith Poole (see note 12). It uses every roll call vote cast on the floor of the House to produce a score, ranging from -1 (most liberal) to +1 (most conservative) for every member. These dynamic scores are comparable from session to session, enabling researchers to compare members across time.
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13. Keith T. Poole, and Howard Rosenthal, *Congress: A Political-Economic History of Roll Call Voting* (New York: Oxford University Press, 1997).
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15. Colorado maintains a complex system of party nominations. Interested candidates may participate in a partisan congressional district assembly prior to the primaries. The electors at these assemblies are elected in precinct and county caucuses. If a candidate fails to receive 10 percent of the assembly vote, she is forbidden from appearing on the primary ballot. If one candidate receives at least 30 percent of the assembly vote, that candidate is automatically the party's nominee in the next general election. However, if more than one candidate passes the 30 percent threshold, those candidates' names will be placed on a primary ballot, with the one receiving the highest assembly vote share appearing on top. Candidates who receive less than 30 percent but more than 10 percent may petition to appear on the primary ballot.
16. Julia C. Martinez, "Democrats Vs. Democrats," *The Denver Post*, September 17, 2007, B7.
17. Jason Kosena, "Angie Paccione Bows out of Congressional Race," *Fort Collins Coloradoan*, September 27, 2007, A1.
18. Marty Cohen, David Karol, Hans Noel, and John Zaller, *The Party Decides: Presidential Nominations before and after Reform* (Chicago: University of Chicago Press, 2008).
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7 Campaigning Against the Uncontrollable

Sununu vs. Shaheen in New Hampshire's Senate Race

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For John Sununu, playing offense was a cakewalk, compared to playing defense. In 2002, en route to becoming a senator at the age of 38, Sununu went on the offensive not once, but twice. The son of a former New Hampshire governor, who had also been George H. W. Bush's chief of staff, Sununu served three terms as a U.S. House member before taking on a member of his own party, Senator Bob Smith, for the Republican nomination in the 2002 U.S. Senate race. Smith had angered many Republicans in New Hampshire by making an abortive run for President in 2000, then resigning from the Republican Party before eventually returning.¹ In a September primary, Sununu defeated Smith by a margin of 54 to 45 percent, and then had to quickly pivot to face a formidable challenger: Jeanne Shaheen, a moderate Democratic three-term governor. Sununu was outspent by his opponent in a race that many saw as a possible Democratic pickup, but nevertheless won in 2002 by a 51 percent to 47 percent margin.

After running such a gauntlet to gain his seat in the Senate, one might think that Sununu could not help but have an easier time defending it, especially in a rematch against a candidate he had defeated once already. Indeed, in his reelection bid Sununu performed as well among different partisan groups in the New Hampshire electorate as he did six years earlier. Sununu slightly increased his vote share among Republicans (from 83 to 86%) and independents (from 19 to 32%), and did not lose too many votes among Democrats (falling from 11 to 7%), according to final polls from the University of New Hampshire Survey Center. Nevertheless, on election night 2008, Sununu found himself on the losing end of a 7-point loss to his longtime rival, Shaheen. In this chapter, we explore the dynamics of the 2008 rematch between these two political heavyweights and shed some light on what made playing defense so much more difficult for Sununu than offense.

The Changing Political Environment of New Hampshire

New Hampshire is a small New England state with a population of just 1.3 million, but it has political influence far greater than its size, largely due to holding the first presidential primary in the nation. Its population is almost entirely White (96% of the adult population), and generally prosperous, with the sixth