

# 2020 Election Preview



October 29, 2020

**POL 105: The Legislative Process**

**Isaac Hale**

**Fall Quarter, 2020**

**UCDAVIS**  
UNIVERSITY OF CALIFORNIA

# Outline

1. The 2020 *Non-Presidential* Landscape
2. Election Challenges: COVID & Voter Suppression
3. Election night

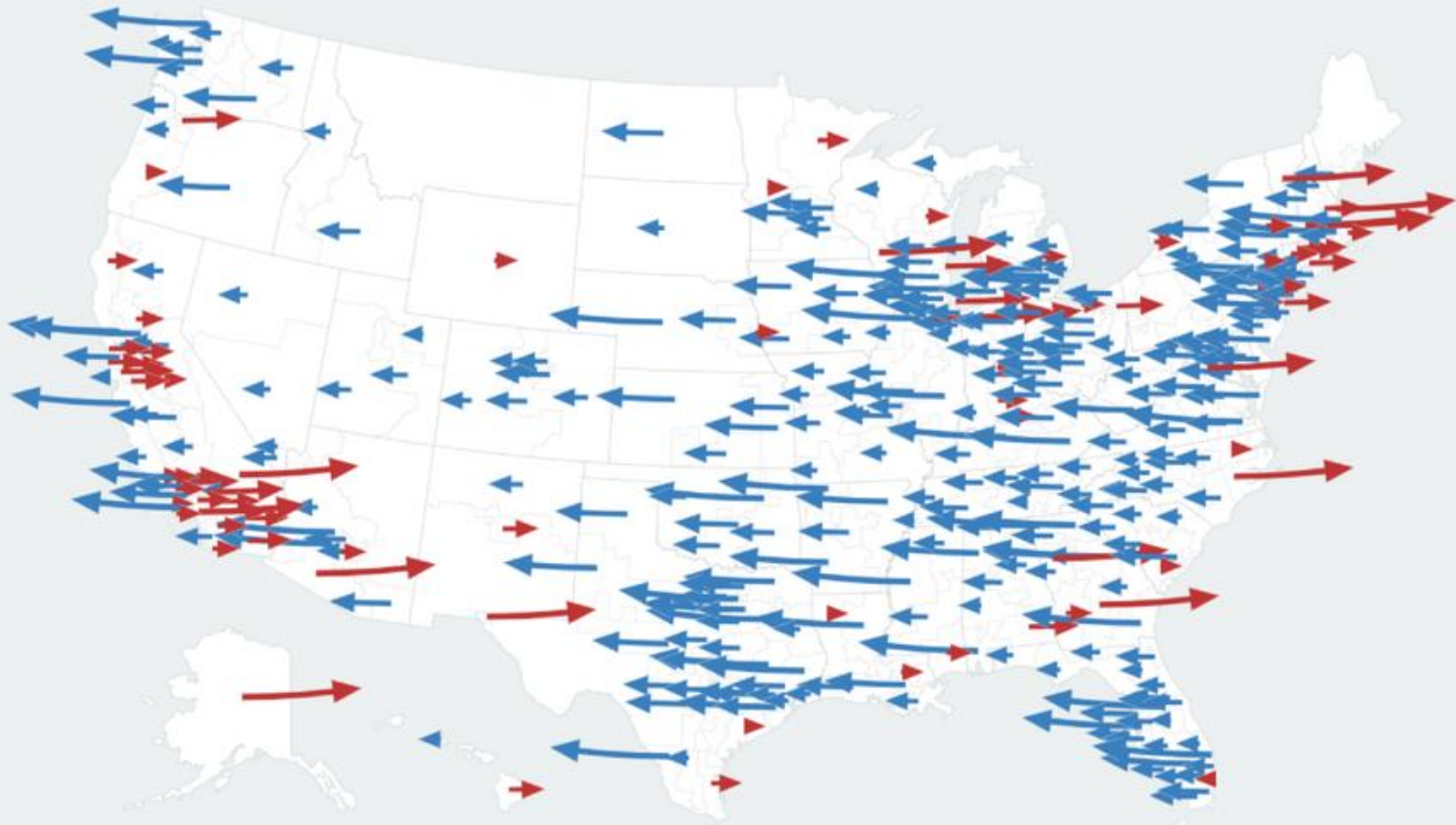
# What Else Is Important in The 2020 Election?

# What Happened in 2018?

	Democrats	Republicans	Independents
115 <sup>th</sup> Senate	47	<b>51</b>	2 (Dem caucus)
116 <sup>th</sup> Senate	45	<b>53</b>	2 (Dem caucus)
115 <sup>th</sup> House	196	<b>236</b>	0
116 <sup>th</sup> House	<b>235</b>	199	0

- Democrats **lost** two seats in the Senate
- Democrats **gained** 41 seats in the House
- The House result was normal for a midterm election, the Senate was not

# 2018 House Races



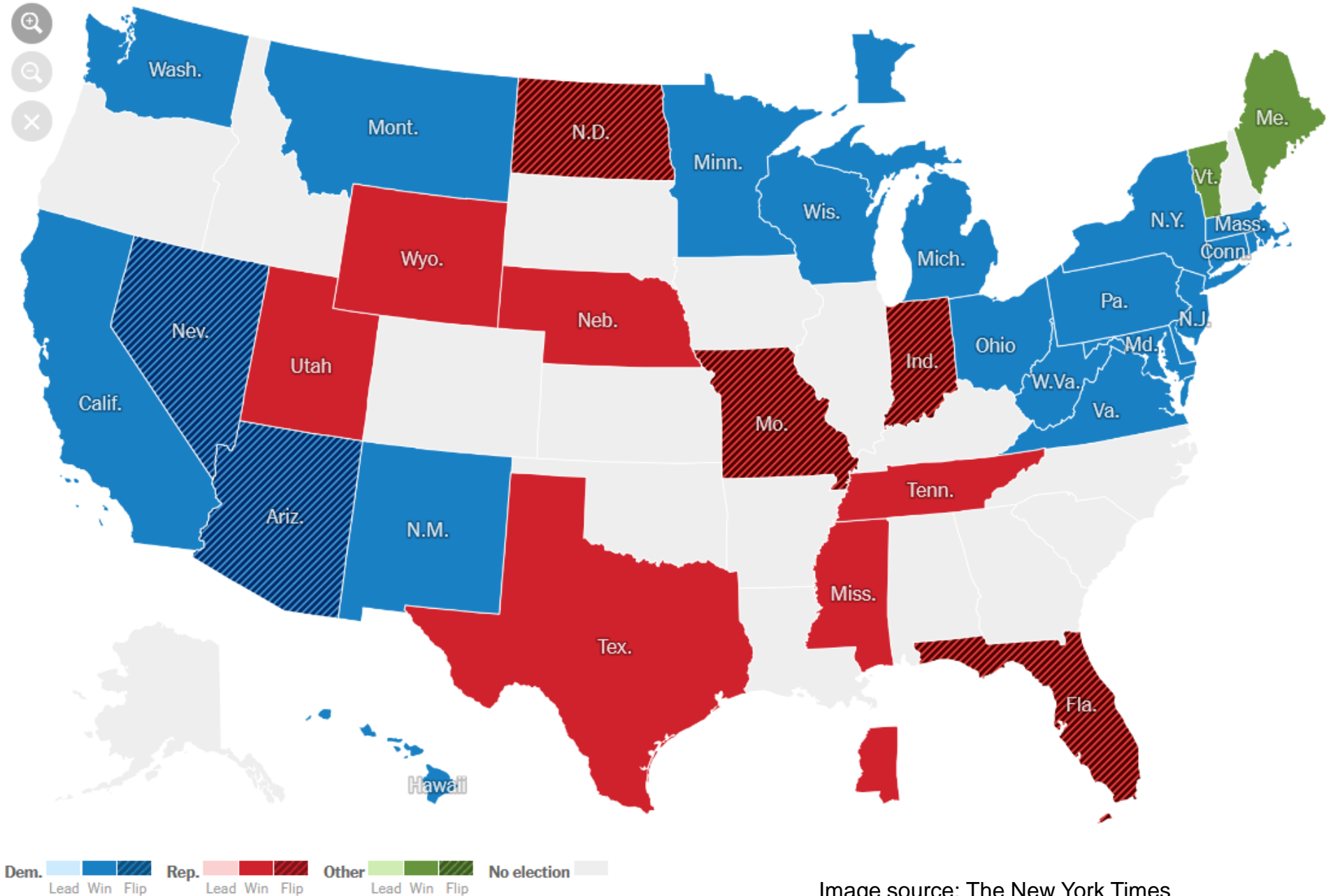


Image source: The New York Times

# Predicting 2020

- 2018 does not tell us much about 2020!
- Republicans won big in 1994 and 2010...
- ...Only for the Democratic president to win reelection and pick up seats in Congress in 1996 and 2012
- Could the same thing happen in 2020?
- Yes, but it looks unlikely!

# Congressional Polling Looks Good for Dems



Polling Data					
Poll	Date	Sample	Democrats (D)	Republicans (R)	Spread
RCP Average	9/18 - 10/24	--	49.6	43.0	Democrats +6.6
Economist/YouGov	10/18 - 10/20	1344 LV	50	43	Democrats +7
USC Dornsife	10/11 - 10/24	5348 LV	52	45	Democrats +7
NBC News/Wall St. Jnl	10/9 - 10/12	1000 RV	49	42	Democrats +7
Monmouth	9/24 - 9/27	809 LV	50	44	Democrats +6
Politico/Morning Consult	9/18 - 9/20	1989 RV	47	41	Democrats +6
All 2020 Generic Congressional Vote Polling Data					

- Surveys ask voters if they plan to vote for the Democratic or Republican candidate in their district
- Democratic House candidates won by 6.8 points nationally in 2018



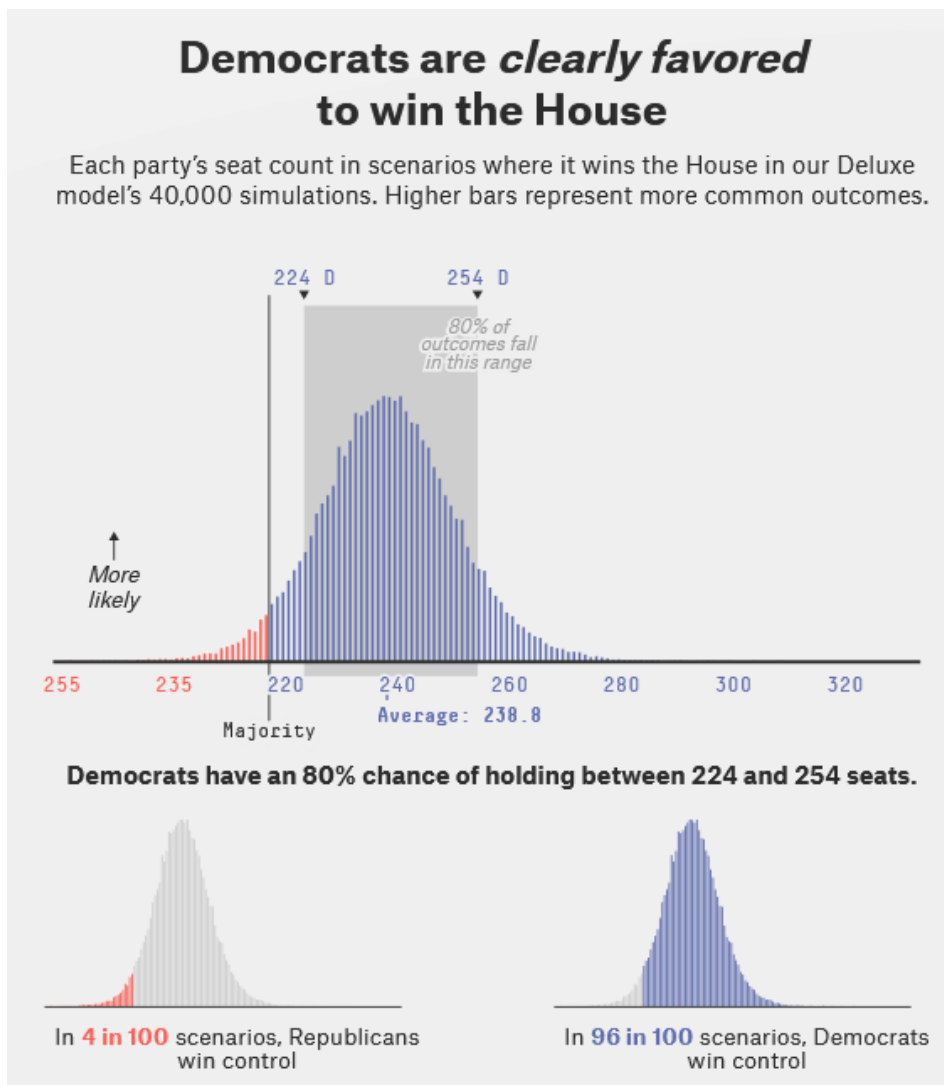
# The Economist Predicts: The House

Right now, our model thinks **the Democrats are all but certain to keep their majority** in the House of Representatives.

	Chance of winning House majority	Predicted range of House seats (218 to win)	Predicted range of popular vote
 <b>Democrats</b>	<b><u>better than 19 in 20</u></b> or 99%	223-265	51-56%
 <b>Republicans</b>	<b>less than 1 in 20</b> or 1%	170-212	44-49%

Predicted range covers 95% of simulations

# FiveThirtyEight Predicts: The House





# How About the Senate?

- The seats up for election this year were last voted on in 2014 – a good year for the GOP
- As such, we would expect that there would be a lot of vulnerable Republicans
- That is certainly part of the story... but not all

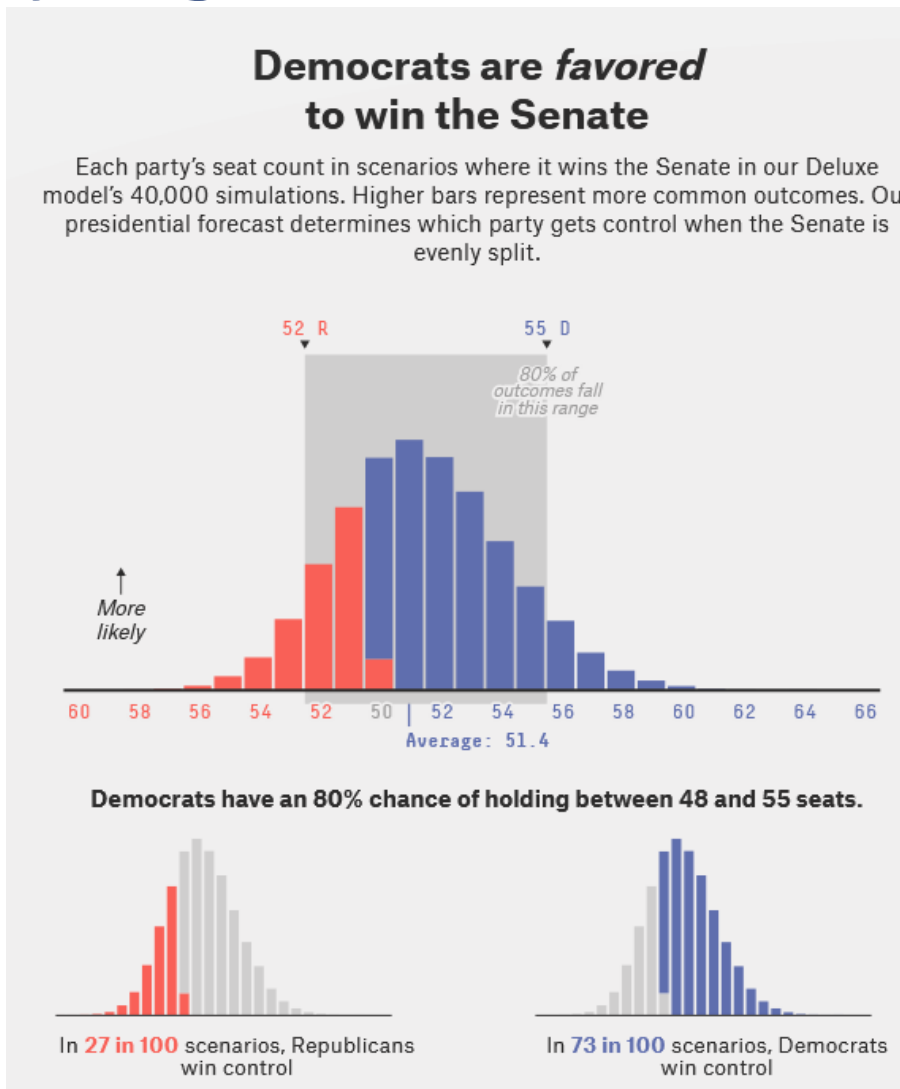
# The Economist Predicts: The Senate

Right now, our model thinks **the Democrats are likely to win a majority** in the Senate.

	Chance of controlling the Senate	Average simulated seat total	Predicted range of seats (51 for majority)
 <b>Democrats</b>	<b><u>around 3 in 4</u></b> or 75%	<b><u>52.4</u></b> seats	<b>47-58</b>
 <b>Republicans</b>	<b>around 1 in 4</b> or 25%	<b>47.6</b> seats	<b>42-53</b>

The vice president breaks 50-50 ties. Predicted range covers 95% of simulations

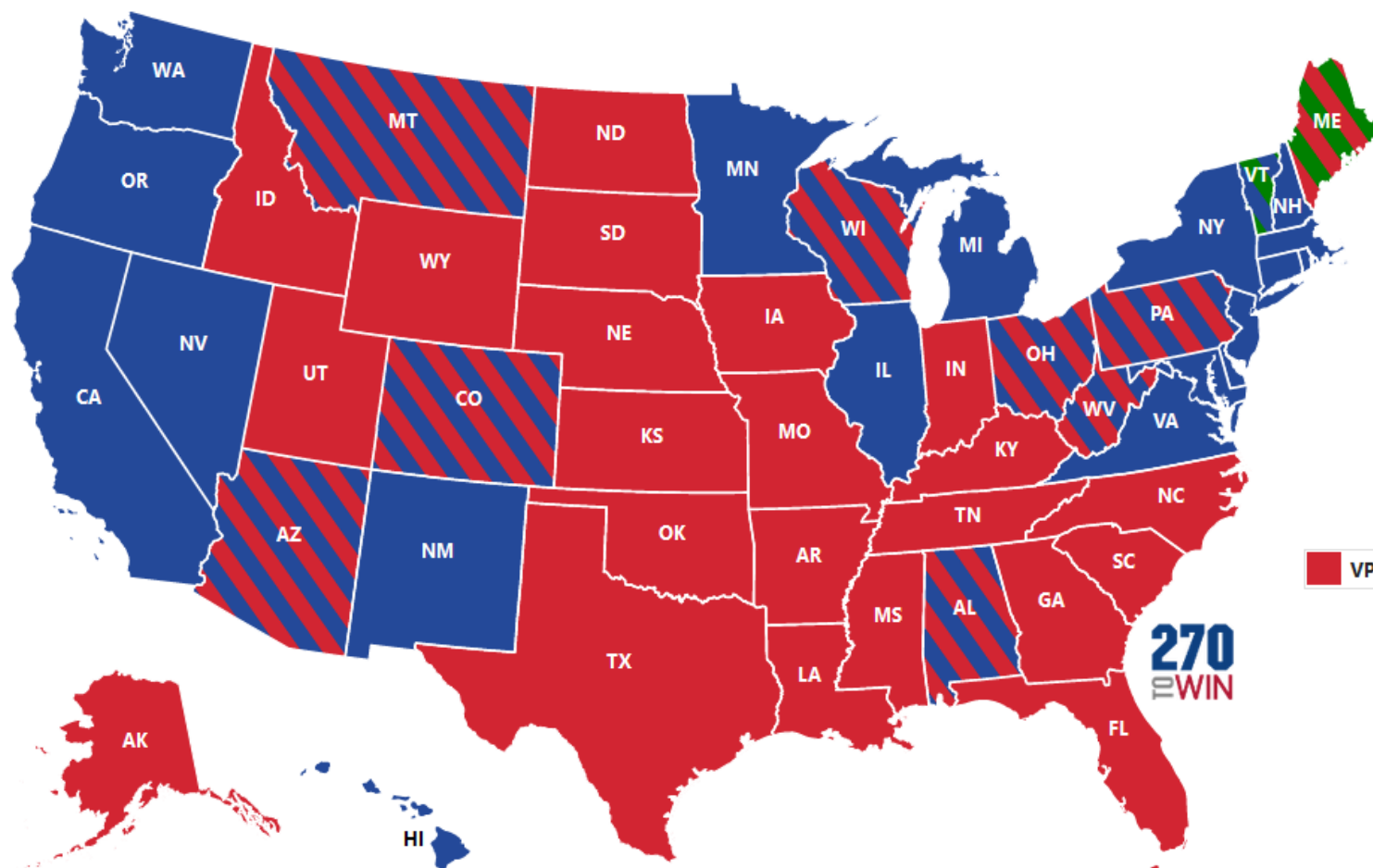
# FiveThirtyEight Predicts: The Senate



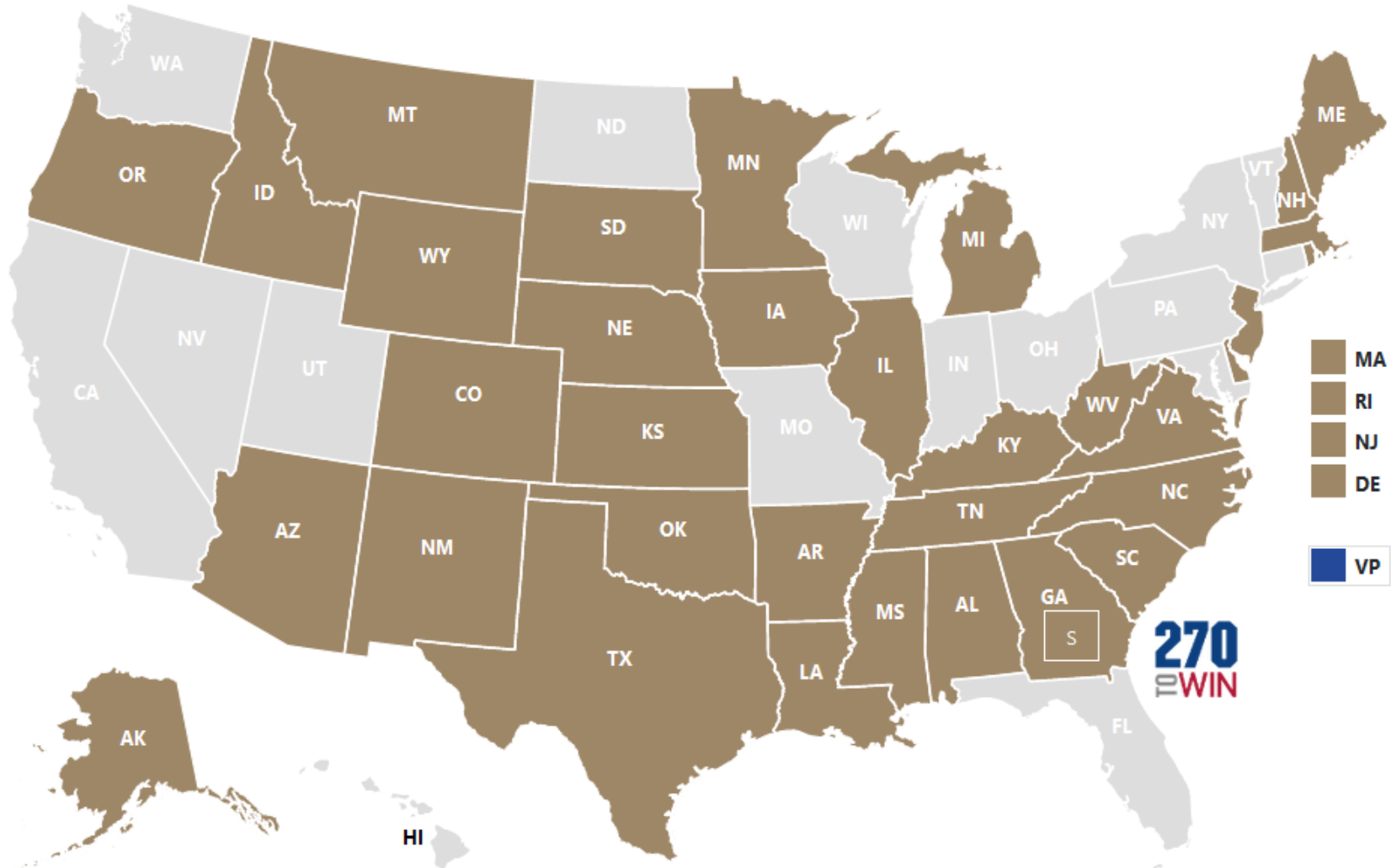
# The Current Senate

Democrats 47

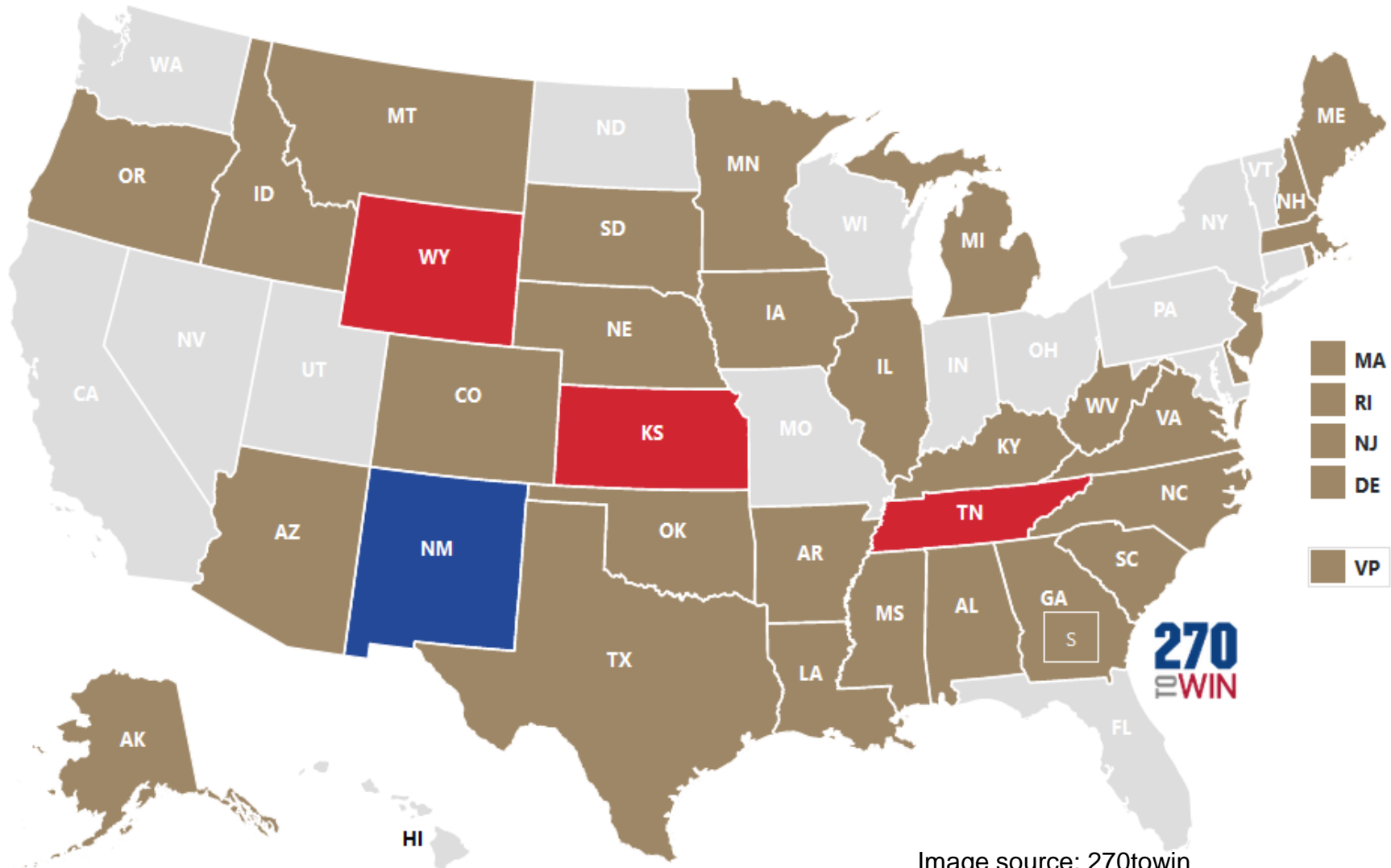
53 Republicans



# 35 Seats Up For Election...



# These 4 Incumbents Are Retiring

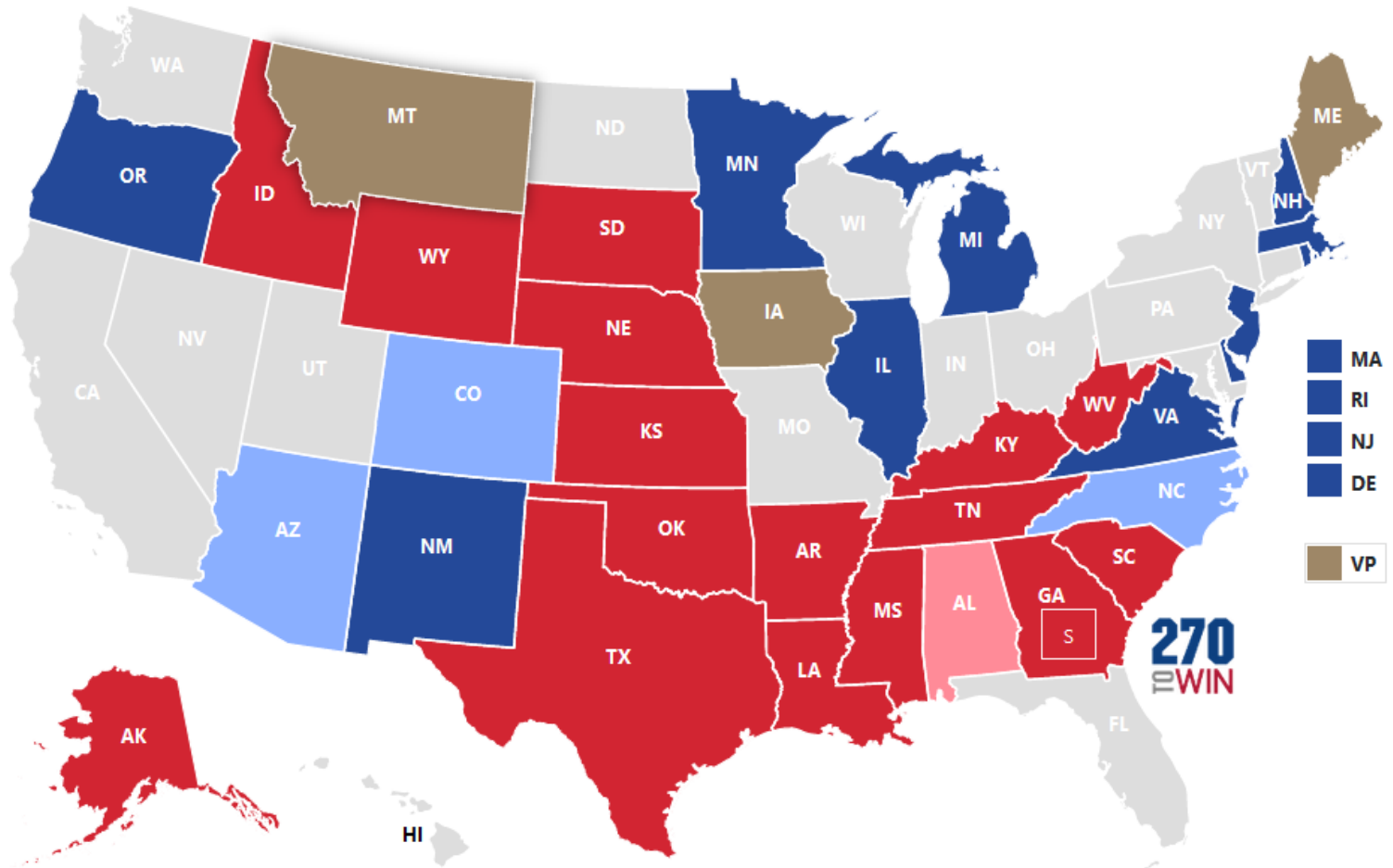
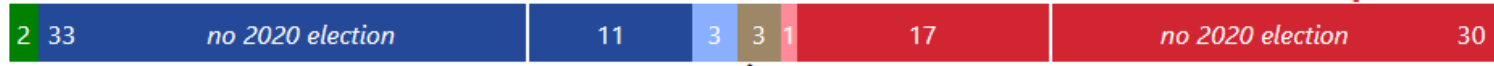




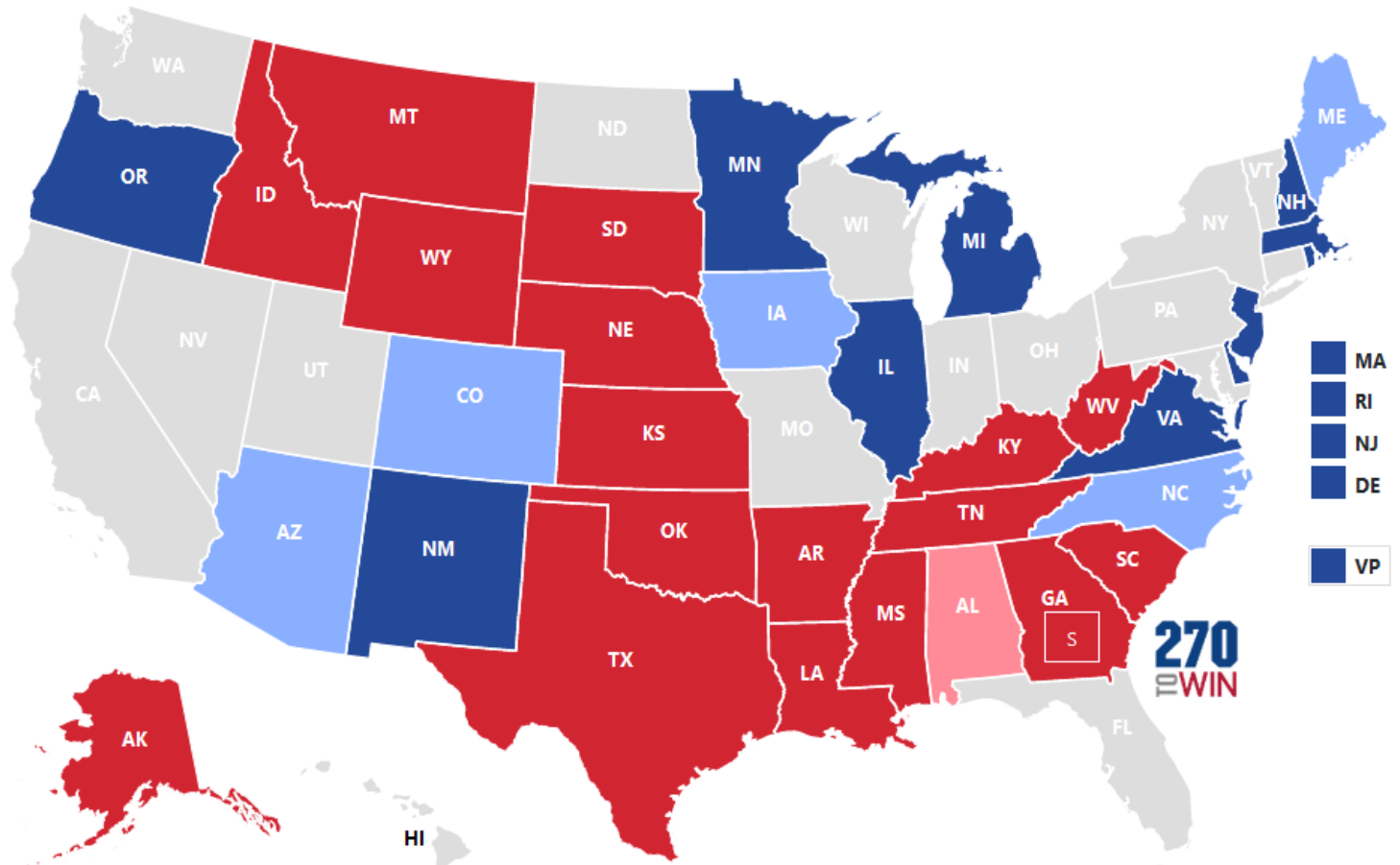
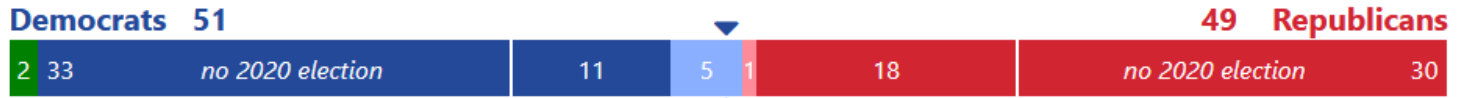
# Making a Prediction (light colors = pickups)

Democrats 49

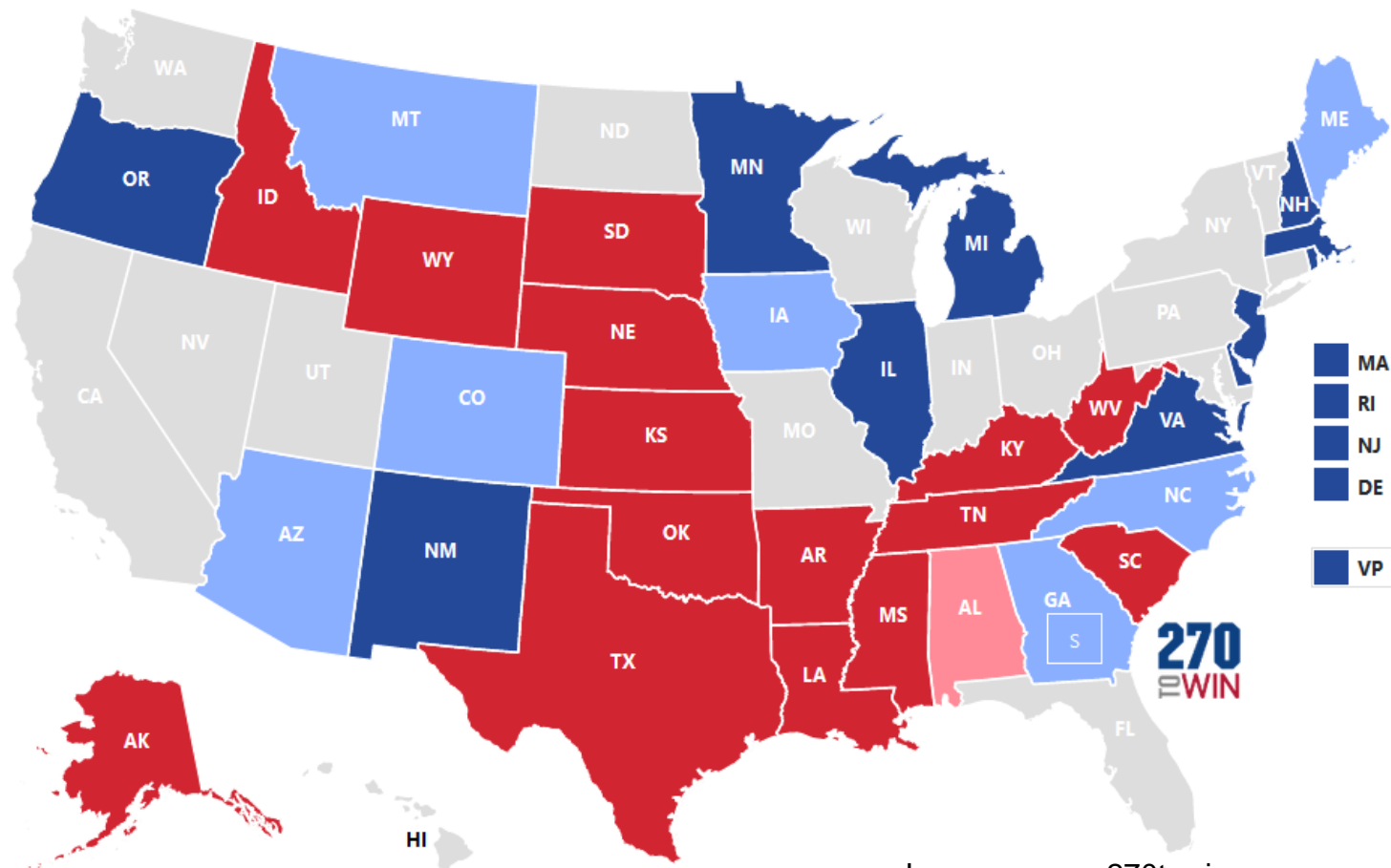
48 Republicans



# The Modal Outcome (538)



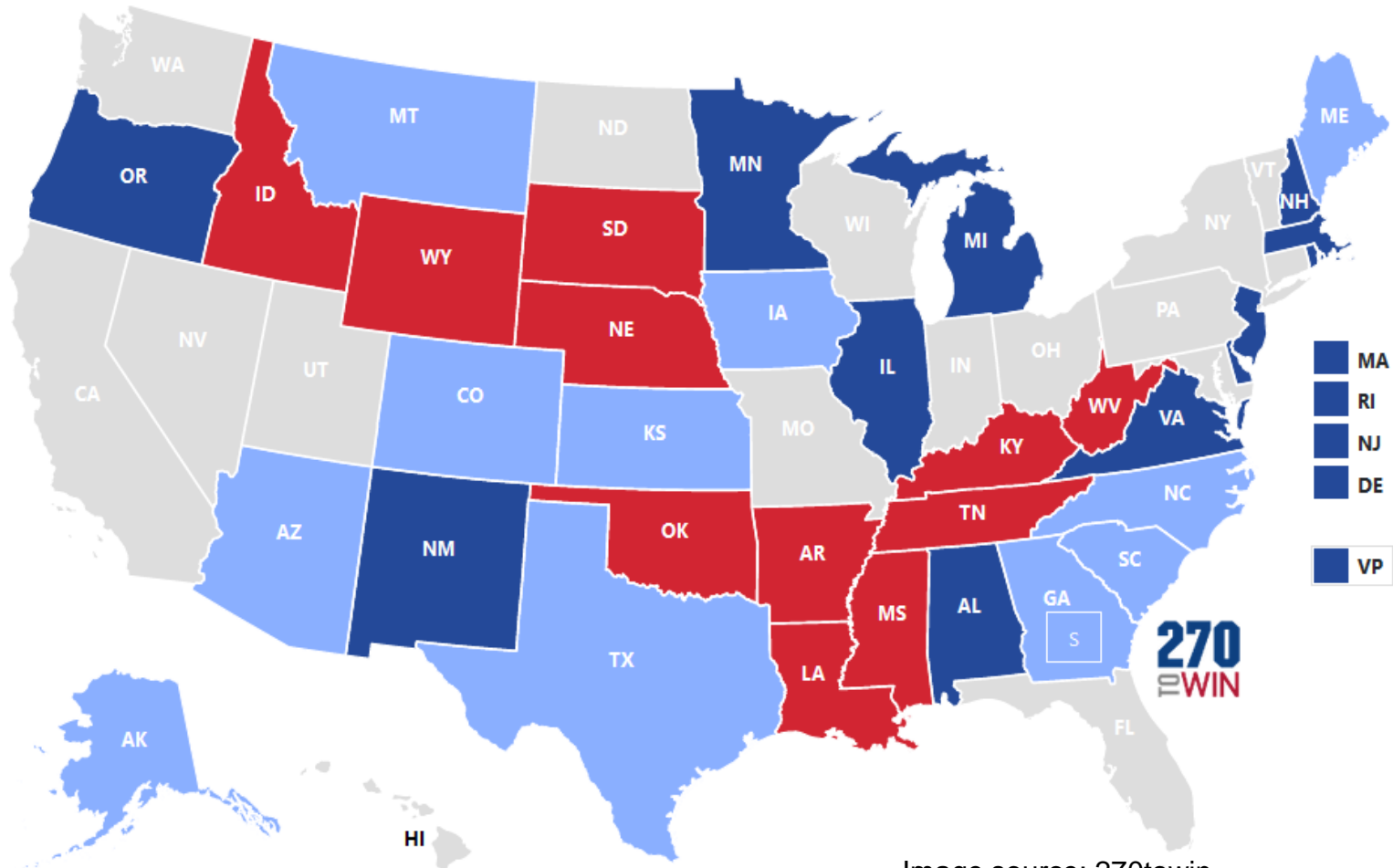
# A Very Good Election For Democrats



# A Huge Democratic Landslide (Very Unlikely!)

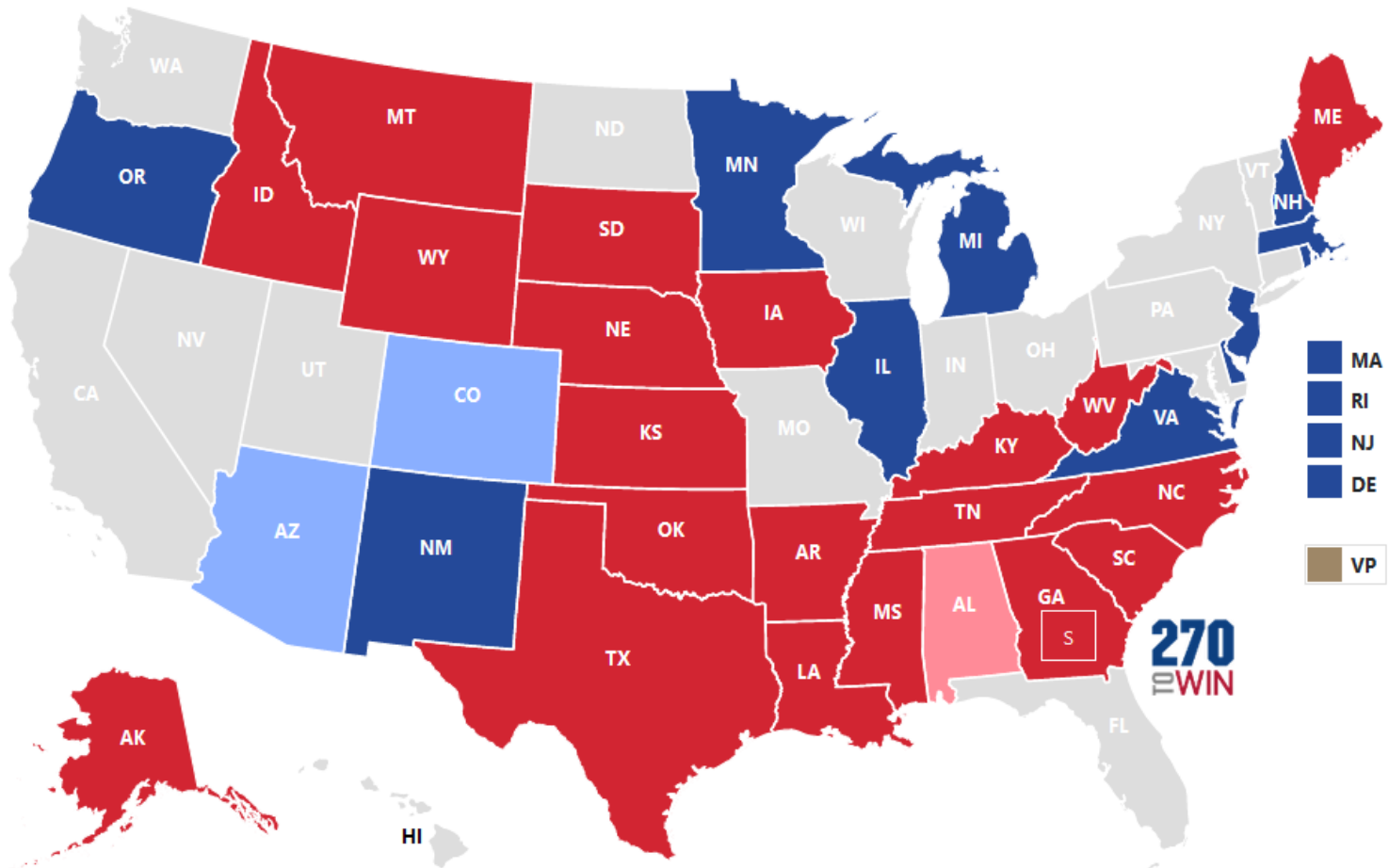
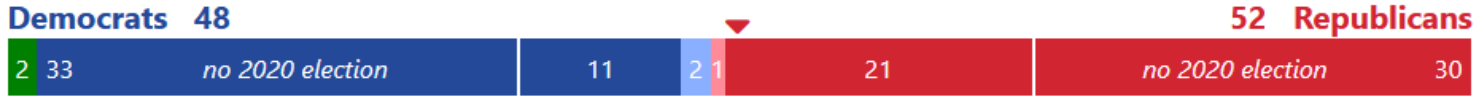
Democrats 59

41 Republicans



**270**  
TO WIN

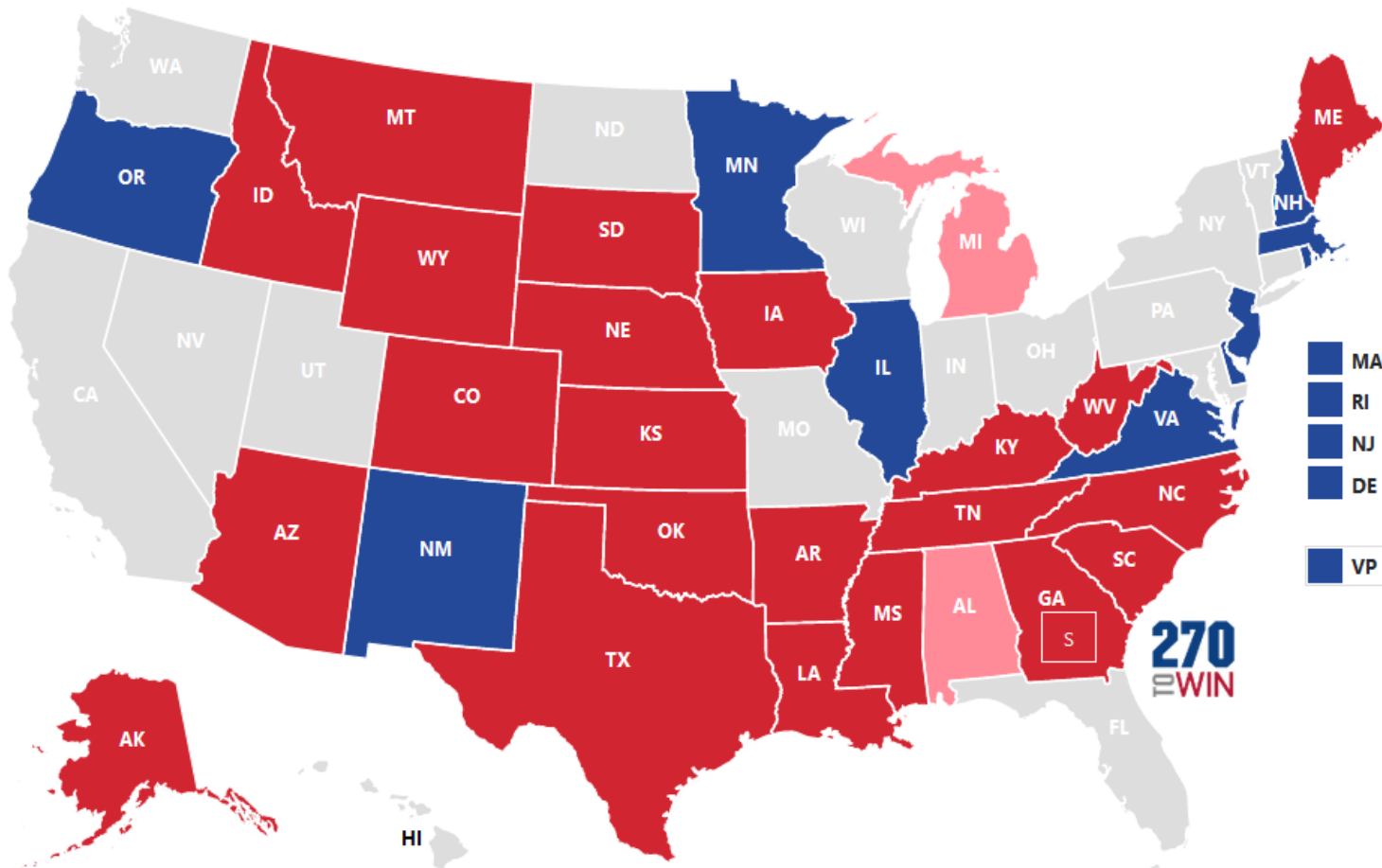
# A Very Good Election For Republicans



# A Huge Republican Landslide (Very Unlikely!)

Democrats 45

55 Republicans

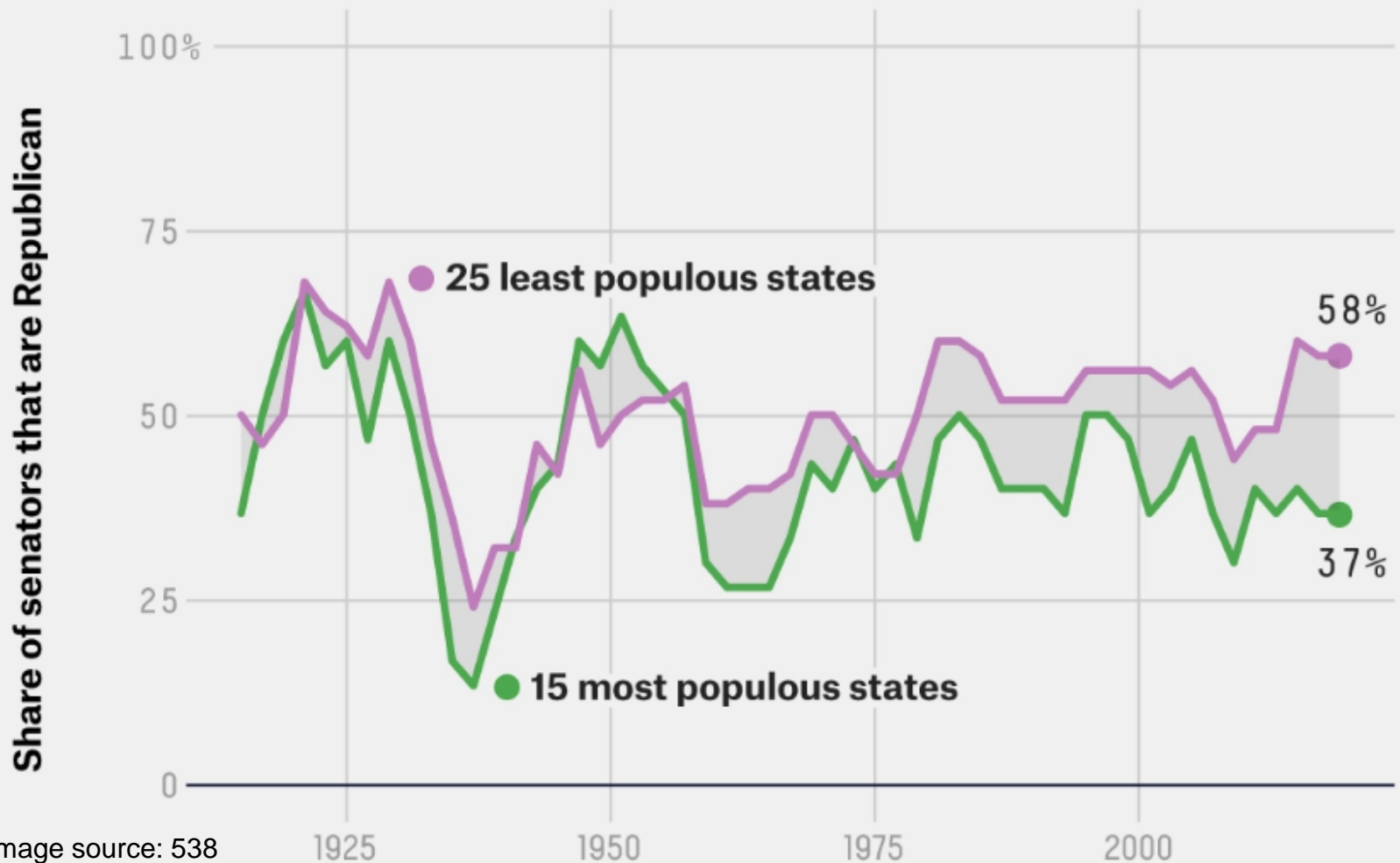


# Why Is the Senate So Uncertain?

- Wait, why is the Senate so uncertain? Shouldn't this be a good cycle for Democrats?
- The Senate significantly benefits the Republican Party
- The Senate represents states **not** people
- The Senate is malapportioned
- Small states are much more republican than the country as a whole

## Republicans have an advantage in small states

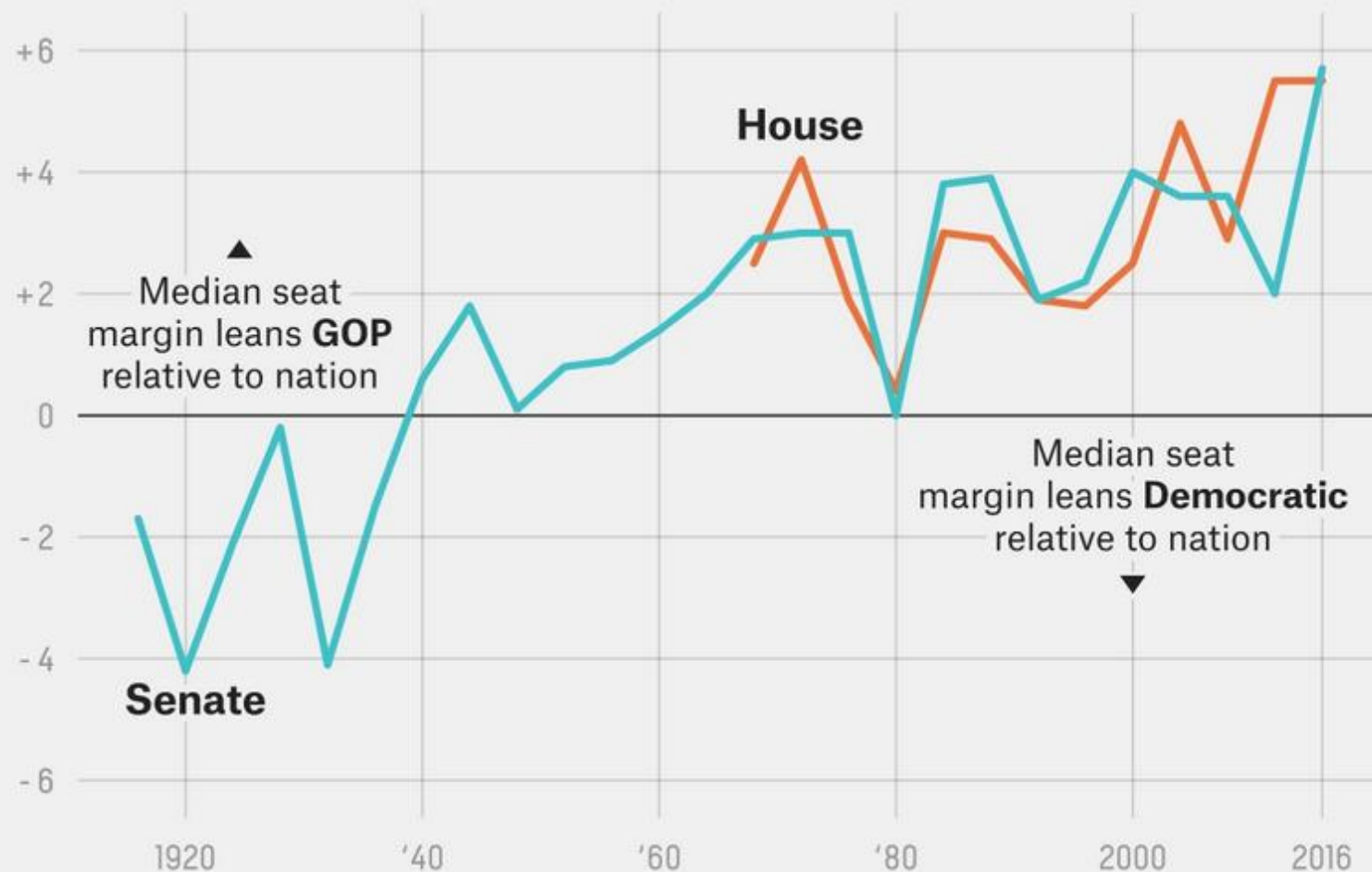
Share of senators that are Republican in the 15 most populous states and the 25 least populous states





## The congressional map's GOP bias is at a historic high

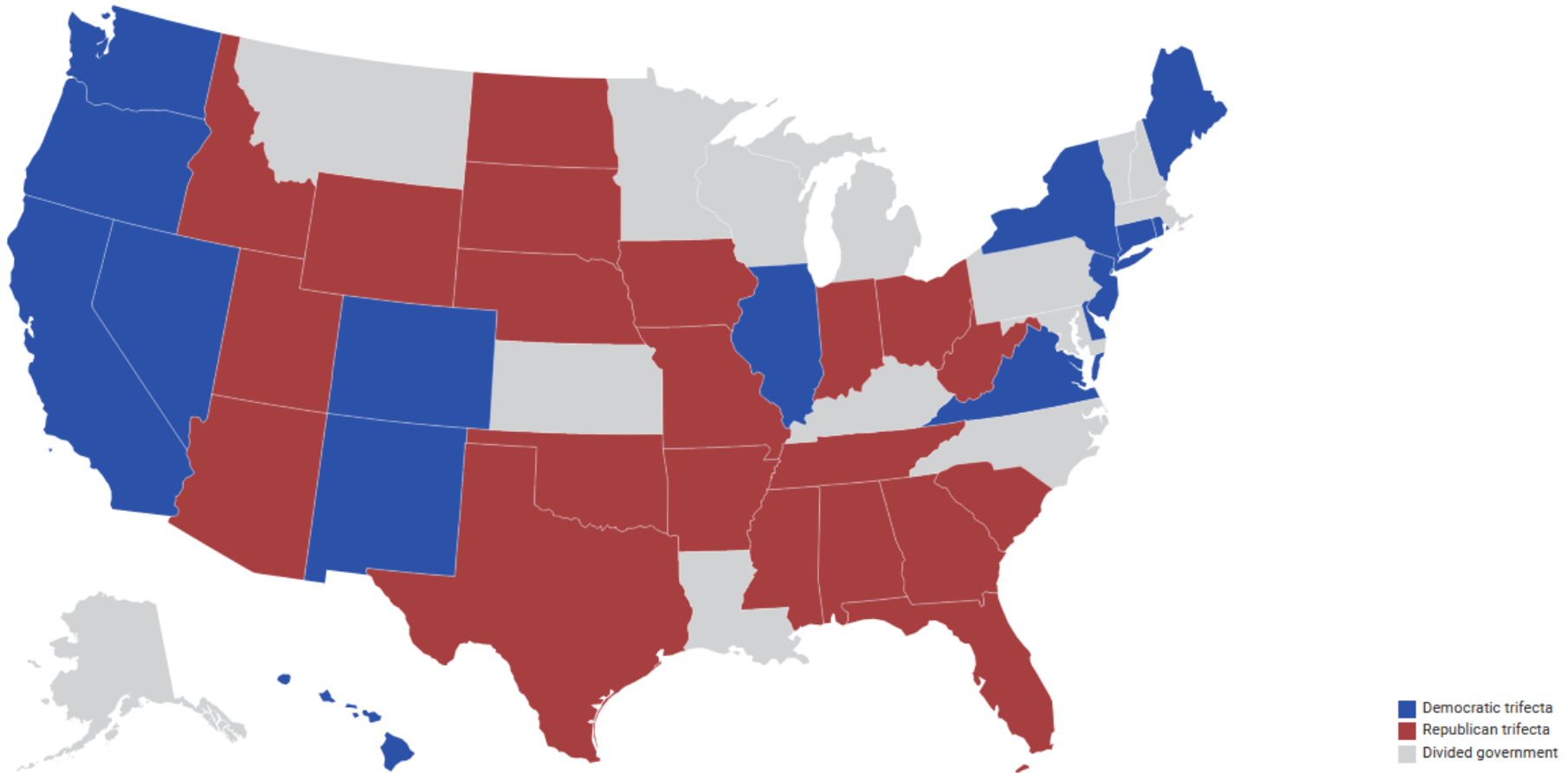
The difference between the Republican presidential margin at the national level and in the median congressional district or state



# What Are the Stakes?

- Unless the Democrats take the Senate, a Biden presidency will likely have few legislative accomplishments
- Every politician likes to say the current election is the most important of our lifetime
- But what else is at stake this time?
- The party that does best in state elections will shape congressional elections for a *decade* via redistricting
  - Just like the GOP did after 2010

# Current Control of State Governments



■ Democratic trifecta  
■ Republican trifecta  
■ Divided government

BALLOTEDIA

# California Is Having High Profile Races Too!

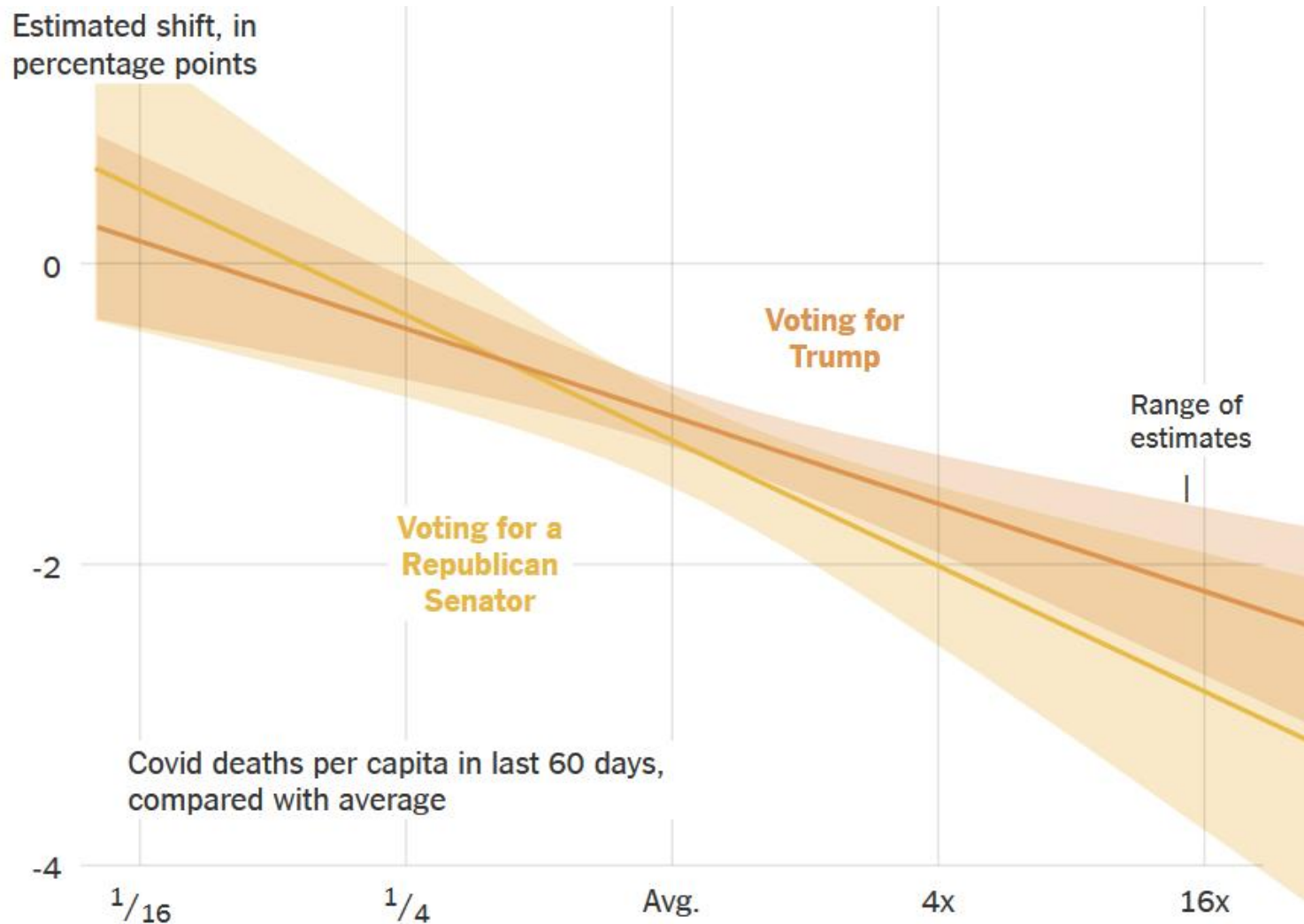
- No statewide offices, but many big propositions:
  - **Prop 15 (tax reform)**
  - Prop 16 (affirmative action)
  - Prop 17 (parolee voting)
  - Prop 20 (tough-on-crime)
  - Prop 21 (rent control)
  - Prop 22 (Uber/Lyft labor law exemption)
  - Prop 25 (replace cash bail)
- I encourage you to read up on these:  
<https://calmatters.org/election-2020-guide/>

# Election Challenges

# What Will Determine The Election?

- The economy, as usual
- The candidates, as usual
- BUT: this election has some unusual features!
- COVID-19
- Unprecedented vote-by-mail

# COVID-19 Could Hurt GOP Candidates



# Scenes From the KY Primary During COVID



**Kentucky Voters Bang Doors  
After Polling Place Closes**

**NOW  
THIS**



# Scenes From the WI Primary During COVID



# Scenes From the GA Primary During COVID



**CBS  
EVENING  
NEWS**

# Two Weeks Ago in Georgia



# Last Week in Philadelphia



# But Voting Problems Predate the Pandemic



# How Did We Get Here?



# VOTER SUPPRESSION



# Is This a Recipe for Chaos?

- If things were this bad in the primary, could they be pure chaos in November?
- Long lines and voting irregularities have been concentrated in red states
- The obvious solution? Vote-by-mail

# Voting In the Pandemic Is Very Partisan

## Trump aides exploring executive actions to curb voting by mail

Trump's campaign and the Republican Party have taken to the courts dozens to challenge voting rules. Trump's aides are pondering possible executive actions.

## *Mail Delays Fuel Concern Trump Is Undercutting Postal System Ahead of Voting*



Donald J. Trump   
@realDonaldTrump



There is NO WAY (ZERO!) that Mail-In Ballots will be anything less than substantially fraudulent. Mail boxes will be robbed, ballots will be forged & even illegally printed out & fraudulently signed. The Governor of California is sending Ballots to millions of people, anyone.....



# Trump Attacks Vote By Mail



# Vote By Mail



# The 2020 Unknowns

- There are a lot of unanswered questions
- Will Democratic and Republican voters view the election results as legitimate if their party loses?
- What will the pandemic do to turnout?
- What will the role of the courts be?
- How will state governments handle vote counting?
- How soon will we know who won?

# Election Night

# When Will We Know Who Won?

- It's hard to say! (helpful, right?)
- In California, it often takes over a week to know the outcome of elections – even without a pandemic!
- Sometimes the election night winner is different from the final winner.
- The 2010 Attorney General's race is a great example

# When Kamala Harris lost on election night, but won three weeks later

Harris ended up winning that 2010 election by less than a point, or just over 74,000 votes out of more than 9.6 million cast.

Her victory as California's first female, first black and first Asian American attorney general came three weeks after her Republican opponent, Los Angeles District Attorney Steve Cooley, had declared victory on election night. Smith still has the San Francisco Chronicle headline declaring Cooley the winner framed in his office.

# What to Watch on Election Night

- If the presidential race is close, we will not know who won on election night
- Biden is up nine points in national polls
- If that holds, we will probably know who won

# States to Watch on Election Night

- A small number states plan to announce results on election night
- Some are safe states, so may not tell us much
- Some will be early signs:
  - Florida
  - North Carolina
  - Wisconsin



# States to Watch on Election Night

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  - Florida
  - North Carolina
  - Wisconsin

# Florida

State	Timing of results	When last polls close (Eastern time)	Type of ballots reported first	Can postmarked ballots arrive later?	Do those who request a mail ballot but vote in person instead cast a provisional ballot?
Florida <span>Tossup</span>	All early voting and previously tabulated mail ballots, which are likely to be relatively stronger for <b>Mr. Biden</b> , should be reported by 8:30 p.m. Eastern. Officials <b>did not make a projection</b> for the timing of full unofficial results, but they were allowed to process early-arriving mail ballots starting weeks before the election.	8 p.m. (most at 7 p.m.)	Early in-person and counted mail ballots	No	Yes, if voter does not surrender mail ballot. Reviewed later.
<b>Florida</b> 29 electoral votes				Chance of winning the most votes	Projected popular vote share



**Joe Biden**  
Democrat

**around 4 in 5**  
or 80%

**48-56%**



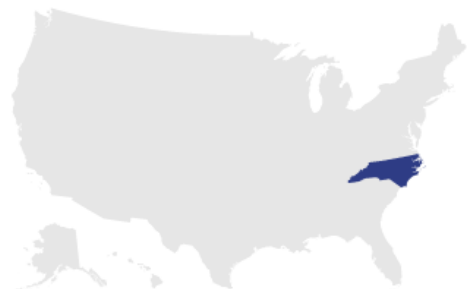
**Donald Trump**  
Republican

**around 1 in 5**  
or 20%

**44-52%**

# North Carolina

State	Timing of results	When last polls close (Eastern time)	Type of ballots reported first	Can postmarked ballots arrive later?	Do those who request a mail ballot but vote in person instead cast a provisional ballot?
North Carolina <span>Tossup</span>	Early votes and processed mail ballots, which are likely to be relatively stronger for <b>Mr. Biden</b> , will be reported around 7:30 p.m. Election day results, which are likely to be relatively stronger for <b>Mr. Trump</b> , will be reported between 8:30 p.m. and 1 a.m. Officials estimate that <b>upward of 98 percent</b> of ballots cast will be reported on election night.	7:30 p.m.	Early in-person and processed mail ballots	Yes, by Nov. 12	No
North Carolina 15 electoral votes				Chance of winning the most votes	Predicted popular vote share



**Joe Biden**  
Democrat

**around 3 in 4**  
or 73%

**47-56%**



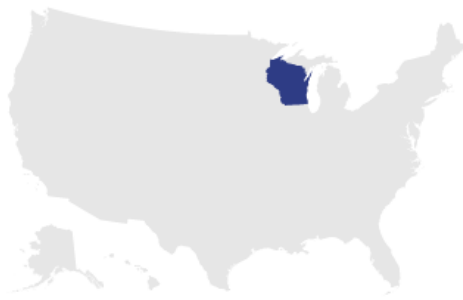
**Donald Trump**  
Republican

**around 1 in 4**  
or 27%

**45-53%**

# Wisconsin

State	Timing of results	When last polls close (Eastern time)	Type of ballots reported first	Can postmarked ballots arrive later?	Do those who request a mail ballot but vote in person instead cast a provisional ballot?
Wisconsin <a href="#">Lean D</a>	Gov. Tony Evers <a href="#">has said</a> he expects to know the results on election night, or by the day after at the latest. The elections director in Milwaukee County, which officials say has the potential to be the latest to report, <a href="#">said</a> that results could take until between 3 a.m. and 6 a.m. Wednesday.	9 p.m.	No order in most places, but in-person votes could come first <a href="#">in 39 municipalities that count absentee ballots separately</a> (including Milwaukee).	No	No
<b>Wisconsin</b> 10 electoral votes				Chance of winning the most votes	Predicted popular vote share



**Joe Biden**  
Democrat

**better than 19 in 20**  
or 98%

**50-59%**



**Donald Trump**  
Republican

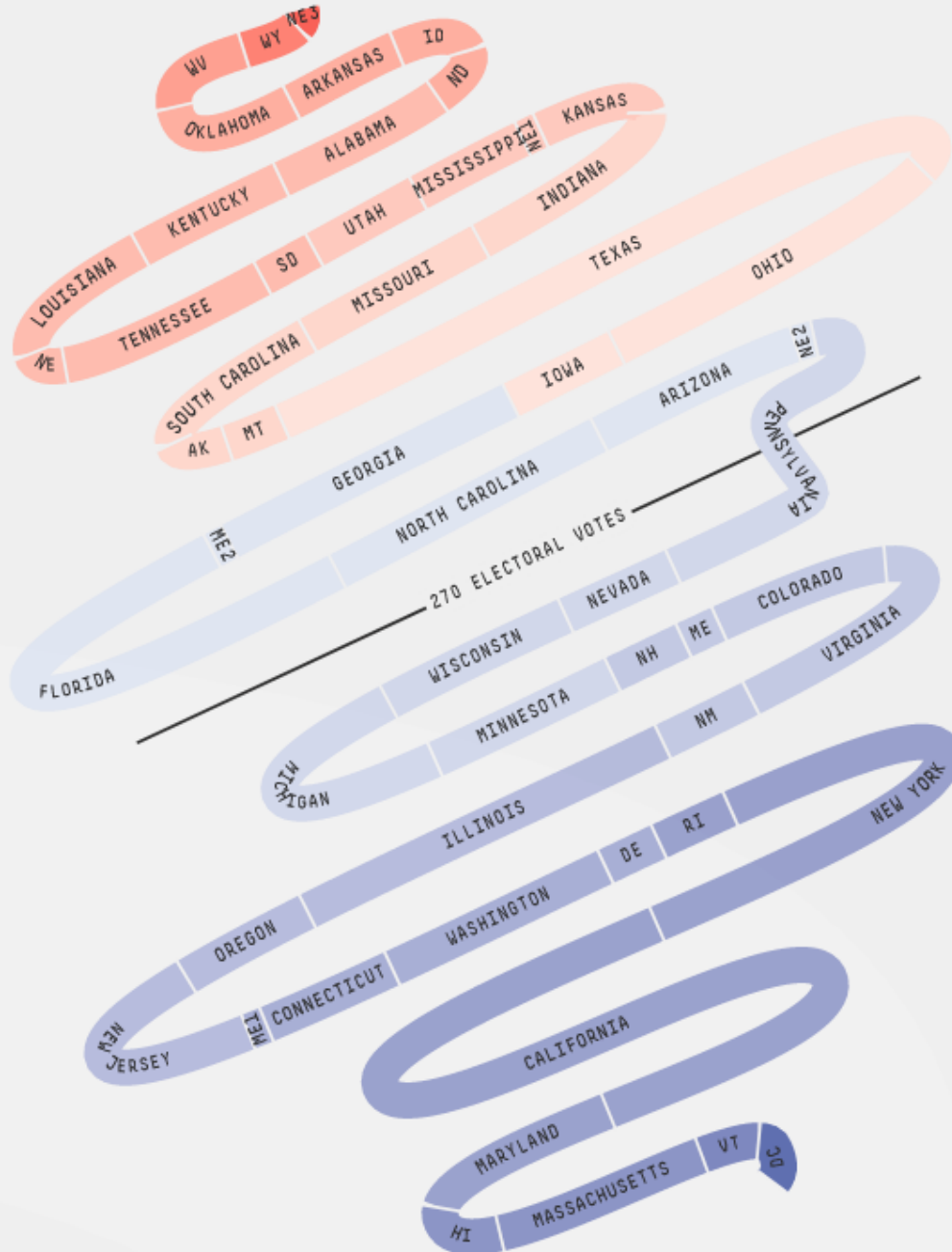
**less than 1 in 20**  
or 2%

**42-50%**

VOTE MARGINS

TIPPING POINTS

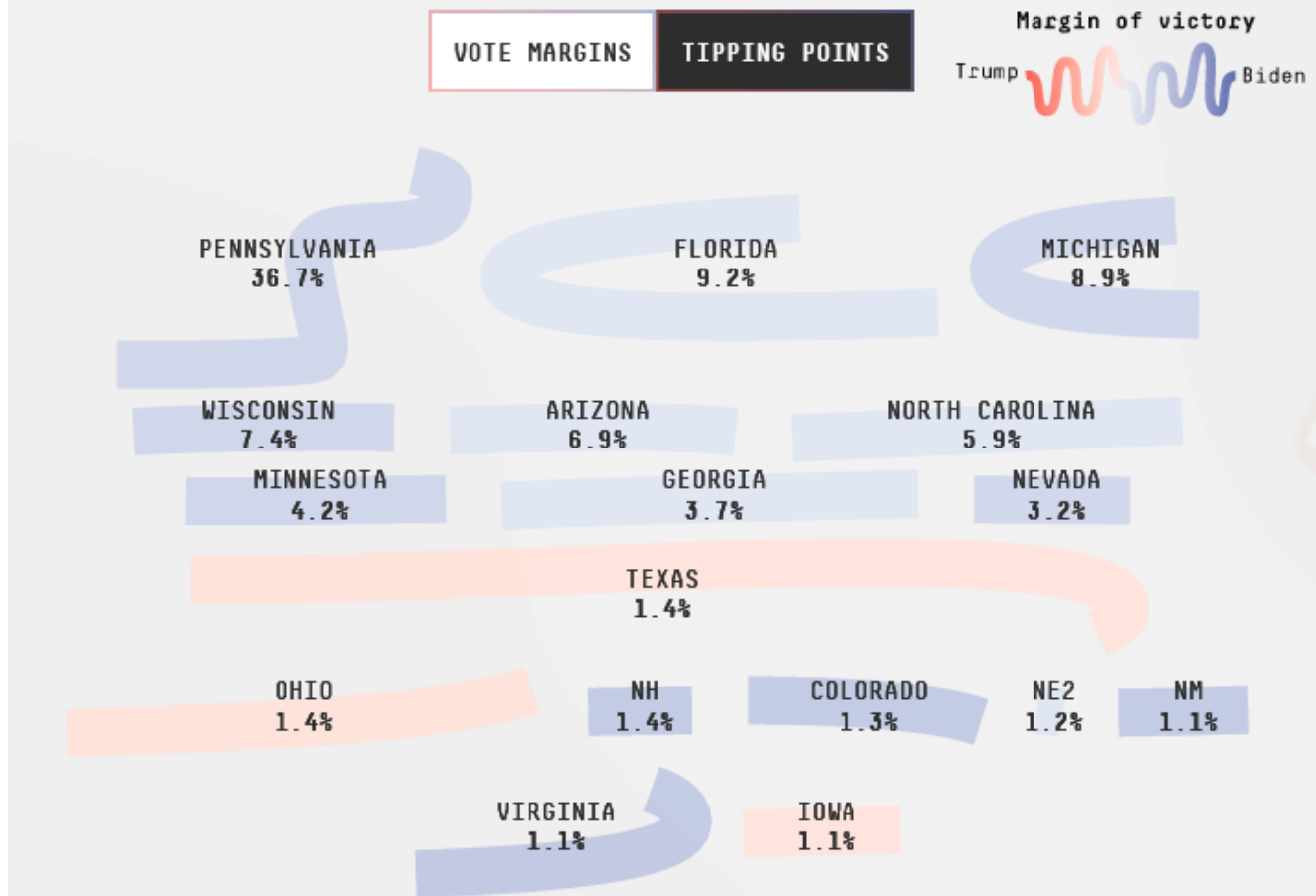
Margin of victory



# Deconstructed Snake

## The winding path to victory

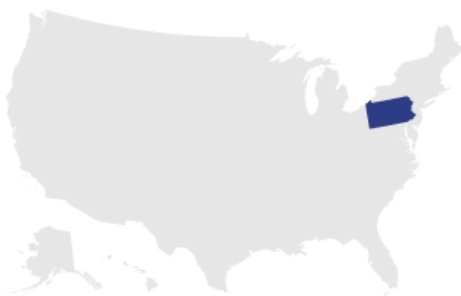
States ordered by how likely they are to deliver the decisive vote in the Electoral College



# Pennsylvania

State	Timing of results	When last polls close (Eastern time)	Type of ballots reported first	Can postmarked ballots arrive later?	Do those who request a mail ballot but vote in person instead cast a provisional ballot?
Pennsylvania <span>Lean D</span>	Secretary of the Commonwealth Kathy Boockvar <a href="#">has said</a> that she expects “the overwhelming majority” of votes will be counted by <b>Friday, Nov. 6</b> . Officials cannot begin to process mail ballots until Election Day, and if there are a significant number of mail ballots outstanding at the end of the night, the reported totals could be relatively stronger for <b>Mr. Trump</b> .	8 p.m.	Officials did not specify, but <a href="#">Ms. Boockvar has said</a> that in order to prevent large swings in results, she is asking counties to report mail votes routinely instead of all at once.	Yes, by Nov. 6. Reporting will vary by county.	Yes, if voter does not surrender mail ballot. Reviewed within seven days.

Pennsylvania 20 electoral votes	Chance of winning the most votes	Predicted popular vote share
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**Joe Biden**  
Democrat

**around 19 in 20**  
or 95%

**49-58%**



**Donald Trump**  
Republican

**around 1 in 20**  
or 5%

**42-51%**

# So... When Will We Know Who Won?

- We will not know the outcome of many races for days (if not weeks)
- However, we may have a pretty good idea on election night who the next president will be
- What election night scenario signals a long battle?
  - Biden wins WI, Trump wins FL & NC
  - Otherwise, we can make a good guess
- FL, NC, and WI finishing early doesn't necessarily reflect well on them!



# This Does Not Spark Joy

Iowa

Tossup

Officials said they are confident they will have unofficial results "in a timely fashion like we do for every election." 10 p.m.

# Pennsylvania Is Ground Zero for the Legal Fight



# In the News Yesterday

## Supreme Court leaves NC absentee ballot deadline at Nov. 12

By MARK SHERMAN and JONATHAN DREW yesterday

- These late-breaking decisions are decreasing voters' confidence that votes will be counted
- Republicans asked the courts to limit the timeframe to accept ballots by mail (must still be mailed by election day)



The Associated Press 

@AP

...

The Supreme Court will allow absentee ballots in North Carolina to be received and counted up to 9 days after Election Day, in a win for Democrats.

# In the News Today

## **Federal appeals court rules mailed ballots must be received by Election Day in Minnesota, cutting weeklong window**

- This creates a mess!
- What about voters who just mailed their ballots?
- What about voters who don't realize the rules have changed at the last minute?
- What public good does this serve?

# ACB's Confirmation Is Another Factor

# Barrett joins court as battles over Pennsylvania election laws intensify

The new justice could play an important role in how the swing state handles the election

## Eyes on Barrett as SCOTUS looks at North Carolina voting appeal



By [Ariane de Vogue](#), CNN Supreme Court Reporter

Updated 3:00 PM ET, Wed October 28, 2020

## The Daily 202: Voting wars flare up as Justice Barrett joins Supreme Court

# Next Week