**Democratic State Committeeman report**

Daniel Marks Cohen

What does being the New York State “Official Democratic Nominee” mean? And is there any truth to the myth that becoming the “Official” nominee ensures that the candidate will lose? The “Official Democratic Nominee” is any candidate that receives more than 50% of the vote at the NYS Democratic convention. The myth is that becoming the Official Democratic Nominee is a “kiss of death” in a competitive primary as they always goes on to lose the election. But is this true?

In the State Convention, there are two thresholds, with any candidate getting 25% of the vote being placed on the primary and getting more than 50% enables a candidate to claim the “official” title. Note that one candidate getting to 50% and the official title does not prevent other candidates from qualifying with the 25% threshold (in one scenario - with perfect math – a candidate could get exactly 50% and then two other candidates could get exactly 25%. Then all three would be on the ballot with only one of them designated the “official” nominee). Being placed on the ballot means a candidate does not have to collect 15,000 signatures from more than one-half of the congressional districts in the state to be in the state-wide Democratic primary. Collecting this many signatures across the state is time consuming and expensive, so winning at least 25% can save a prospective campaign a lot of resources.

At the most recent NYS Democratic Convention at Hofstra last week, the open seat of former Attorney General Eric Schneiderman was contested by three women (which is a historic moment for NY state): (1) current NYC Public Advocate and attorney Tish James; (2) the 2014 Gubernatorial Democratic Primary candidate, 2016 NY-19 Congressional candidate and Fordham law professor Zephyr Teachout; and (3) the 2006 Lieutenant Gubernatorial Democratic Primary candidate and current Verizon VP for Government Affairs, attorney Leecia Eve. At the State Convention James got 85% of the weighted vote of the State Committee, 5% went to Teachout, and 10% to Eve. So James is on the ballot and because she is over the 50% threshold, she is also the Official Democratic Nominee. Teachout and Eve will have to petition to get on the ballot.

Back to the myth: is it the kiss of death as the “Official Democratic Nominees” all lose? I myself have repeated this myth, including at club meetings recently. But I did some research, and I am mostly wrong. You have to go back more than 20 years to find a case where this is true: Oliver Koppell was chosen by the NYS legislature to replace the Attorney General Bob Abrams, who resigned mid-term in 1993. Koppell was chosen as the Official Democratic Nominee at the State Convention in the spring of 1994, but went on to lose the Primary to Karen Burstein later that fall, and then Burstein herself lost to Republican Dennis Vacco in the general election that November. More recently we have had Tom DiNapoli as Comptroller - picked to fill the remainder of Alan Hevesi’s term in 2006 and re-elected without incident twice in 2010 and 2014. Kirsten Gillibrand was chosen to replace Hillary Clinton as Senator in 2009 and has been re-elected twice, in 2010 and again in 2014. And most recently the Lieutenant Governor position under Cuomo was swapped from Robert Duffy to Kathy Hochul, with the latter elected in 2014 without incident.

I suppose you could say that just for the AG position alone being the Official Democratic Nominee gives you no advantage based on recent history, but with a sample size of ONE, that isn’t very scientific. Another test will come this year, with the 2018 AG race, but if past performance is a predictor of future results, looking at for all vacancies filled mid-term, Tish James is in a strong position to win the Primary for Attorney General this fall. Personally, I voted for Teachout, but would also be delighted with James as the Democratic candidate for AG.