Almost a Century in the Making: Democrats Take Control the State Legislature

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There has been a lot of (justifiable) excitement about the recent defeat of the so-called Independent Democratic Conference (the “IDC”) and the election of 39 Democrats to the 23 Republicans in the State Senate (Senator Simcha Felder, nominally a Democrat who frequently votes with the GOP, is isolated as a party of one, for the time being). This is not the first time that the Democrats have had control of the State Senate, as recently as 2009, the split was between 32 Democrats to 30 Republicans, but that was under the tumultuous leadership of Malcolm Smith, followed by John Sampson, and it was very brief – the GOP recaptured control through the IDC the following cycle – and both men are now in prison for corruption.

If you look further back in time, the Democrats controlled the Senate in 1965, but again only for a year. In fact, you have to look much further back in history, to the year 1938, when Democrats controlled the Senate for a significant period – 5 years, but then lost it for another 25 years. Then, as now, it was not just about absolute control – it is about the margin of control, and Democrats have not had the kind of margin we have now in over 80 years. Previously the legislature could just add another seat (this has happened several times – when the GOP was at risk of losing its majority, they just added another seat to the State Senate – we were 51 total State Senate seats in 1938, we are 63 seats now). Or a few senators who could be persuaded to switch parties, or switch alliances to support Republicans (the IDC being the most recent version of this, but it was not the first time in New York State history). With 16 senators between the Democrats and the GOP, shenanigans like adding another seat to the State Senate would have no impact, and it would require a massive defection to give the Republicans control again, which seems highly unlikely.

Why is this important? Often when looking at legislatures the energy and attention is directed towards the US Congress. This is not inappropriate, if the Democrats are going to push back against the White House it needed to control at least one legislative house to give the Democrats some leverage against Trump. Taking back the House of Representatives gave the Democrats some real muscle in the capitol. But it is more frequently in the local and state legislatures that have the greatest immediate impact on the daily lives of New Yorkers. The Reproductive Health Act, voting reform, LGBTQ rights, tenant protections and congestion pricing are just a small list of the large number of priorities of this newly empowered state legislature. Legislation lay waiting for a Democratic majority to emerge to enact them into law. The *Albany Times Union* referred to this new situation as the “Californication of New York” politics, where the west coast was the “left coast” on issues that mattered to progressives. Now with a Democratic-controlled legislature New York State has a chance to be the *true* left coast of politics.

Electing just eight new senators, just a handful of Democrats, from a few key districts was enough to give us the majority. This was not easy, let me not undersell it – but in addition to the victories being an expression of rage against the Trump-supporting GOP in November, it was also a reflection of changes in demographic trends – particularly in the once-red counties of Long Island. In 2016, Republicans controlled seven of the nine state senate districts in Nassau and Suffolk counties. But after the “blue wave” of 2018, it was the Democrats that had the majority, elected to six of those State Senate seats, flipping four of them from red to blue. Half of the majority in the State Senate comes from these wins in districts formerly held by Republican senators. Plus these wins were in a non-Presidential election year. Past voting patterns suggest that in 2020 Democrats can not only hold their majority but with higher voter turnout may also add a few more seats to the blue team. In particular the close elections in the 41st district – Dutchess County (1% margin), the 50th – Cayuga County (2% margin), the 4th – Suffolk County (4% margin), the 55th – Monroe County (4% margin), and the 43rd – Columbia County (6% margin), where the Democratic candidate fell just a bit short. There were also several other seats where there was no opponent at all to the Republican in the general election. With the ascendant Democrats now in the majority in the State Senate, no seat will go uncontested in 2020.

Adding this all together, the diminishment of Long Island as a Republican stronghold, the Democrats now holding a firm majority, and the possibility of an even larger blue wave next year, the potential for increasing the total number of Democrats in the State Senate seems feasible, and increases the probability that we hold the majority beyond our brief periods in power in the State’s history. It completes the progression of power in New York State from purple to firmly blue, and essentially extinguishes the Republicans from power in legislatures in New York and New England, and with the exception of Pennsylvania, also the entire Northeast region of the United States. We have a chance now to make real change to positively impact people’s lives. This year and the years to come will be about pushing for a progressive agenda. We should celebrate our victory in New York State, but it is now that the work truly begins.