



TO: **Interested Parties**
FROM: **Heather Williams, DLCC President**
DATE: **October 10, 2024**
RE: **Memo: Democrats Can't Take State Legislatures For Granted – What's at Risk**

2024 is the most consequential election of our lifetimes, and victories down-ballot are essential to shaping the future of our country and protecting our rights. Donald Trump and his allies are plotting to drag us back by empowering egregious attacks on our fundamental rights and our democracy at the state level, which is why state legislatures have become an emerging cornerstone of Democrats' strategy to protect against MAGA extremism and keep our country moving forward.

Just last month, the Harris-Walz campaign announced a record \$2.5 million investment in the DLCC to secure state legislative wins. As our party rallies around the new presidential ticket, this transfer of funds underscores that we must compete at all levels of the ballot and can't take state legislatures for granted. As Campaign Chair Jen O'Malley Dillon said, "The Vice President believes that this race is about mobilizing the entire country, in races at every level, to fight for our freedoms and our economic opportunity."

However, the latest data from the field shows our party's collective effort to win key state legislative races could fall short this cycle without a significant increase in financial support to close essential funding gaps in the final weeks of this election. Even in a scenario in which Democrats at the federal level win battleground states by several percentage points, both **our historical and current internal targeting data show that Democratic legislative majorities could be at risk in Michigan, Minnesota, and Pennsylvania, and our goals for building power in Wisconsin, Arizona, and New Hampshire could be out of reach**—particularly if Democrats cannot prevent the ballot roll-off and ticket splitting Democrats experienced in 2016 and 2020.

The latest polling at the national level currently shows a close race between Vice President Harris and former President Trump, with some trendlines in battleground states moving in Democrats' favor. However, right now, our internal data suggests **we may be on an eerily similar trajectory to the 2020 election outcomes—when Democrats narrowly won the White House and took full control of Congress, yet lost more than 100 Democratic legislative seats and two chamber majorities in the states.** We saw a similar pattern in 2016, when Democrats won the popular vote for President and picked up seats in both chambers of Congress, but saw a net loss of more than 50 state legislative seats nationally and saw three legislative chambers flip to Republican control.

That is why every vote cast and every dollar spent matters for state legislatures.

The margins for victory for state legislatures are incredibly small but have huge consequences. Just twelve legislative seats could make the difference for six majorities in states that will determine the freedoms and rights—abortion, voting, education—of nearly 40 million Americans. These pivotal seats could come down to just a handful of votes—as we saw in 2022 when majorities were decided in Pennsylvania by 63 votes and in New Hampshire by just 11 votes. In order to secure these races, state Democrats must have the resources to increase communication with voters and draw contrast with their opponents—particularly in a crowded environment as presidential and statewide campaigns ramp up spending on both sides.

We can't afford to lose a single vote. With just under 30 days to go, we still have paths to victory in our target states to stop Donald Trump and his allies. But success relies on our ability to overcome challenges like ballot roll-off and funding gaps—and the window for action is rapidly closing.

Ballot Roll-Off

Ballot roll-off describes the pattern in which voters cast votes for the top of the ticket, but don't fill out the entire ballot—thus resulting in a “roll off” between the votes for the top of the ticket and down-ballot candidates. Sometimes the sheer mechanics of where races for state legislature appear on the ballot work against these candidates—they are further down the ballot or even near the bottom after federal and statewide races, and some voters are less inclined to spend time filling out the entirety of the ballot. In other cases, voters drop off because they don't feel they have the information needed to cast educated votes down the ballot. Compared to the robust fundraising and scale of federal races that can blanket the airwaves to boost name ID and reach voters, state legislative races do not presently have the same resources for the scale of targeted media and voter outreach to increase voter awareness of their state legislative candidates.

Although it is not the only obstacle facing state legislative races, down-ballot roll-off is a major hurdle uniquely felt at this ballot level in presidential and midterm election years, and it's a problem that impacts Democrats more than Republicans. Data from past presidential elections compiled by our partners at [Sister District](#) shows Republicans consistently vote all the way down the ticket. In fact, over the past decade, **Republicans have avoided the negative effects of roll-off, with just 37% of their races impacted compared to the 80% of competitive races featuring Democrats down-ballot.**¹

2020 State Legislative Races Roll-off & Underperformance:

CHAMBER	CONTESTED RACES IN 2020	LEGISLATIVE DISTRICTS UNDERPERFORMING THE PRESIDENTIAL TICKET	AVERAGE 2020 UNDERPERFORMANCE	2020 OUTCOME
Arizona House	25	15 (60.0%)	-0.85%	GOP retained control
Arizona Senate	20	18 (90.0%)	-1.60%	GOP retained control
Michigan House	109	70 (64.2%)	-1.05%	GOP retained control
Minnesota House	129	103 (79.8%)	-2.15%	Net loss of 5 seats
Minnesota Senate	65	55 (84.6%)	-2.10%	GOP retained control
New Hampshire House	195	171 (87.6%)	-3.24%	Net loss of 46 seats & GOP flipped chamber
New Hampshire Senate	24	22 (91.6%)	-3.91%	Net loss of 4 seats & GOP flipped chamber
Pennsylvania House	129	91 (70.5%)	-1.17%	Net loss of 3 seats & GOP retained control
Pennsylvania Senate	19	16 (84.2%)	-2.70%	GOP retained control
Total	715	561 (78.4%)	-2.09%	

¹ To learn more about this research, visit Sister District's [Downballot Voter Toolkit](#)

Overcoming Ballot Roll-Off In 2024

Overcoming the effects of down-ballot roll-off by even a single percentage point could significantly increase our chances of retaining and building new Democratic majorities. That's why state legislative candidates and their volunteers are knocking doors, phone-banking, and ramping up get-out-the-vote and paid communications efforts – and the DLCC is with them every step of the way to leverage resources to communicate and engage with voters.

Responsible for setting the national strategy at the state ballot level, the DLCC works in both red and blue states, advising state caucuses, and funding data-driven finance and messaging plans to set the stage for wins in November. Thanks to strong candidate recruitment and voter enthusiasm, state-level Democratic campaigns have already surpassed the **2 million doors knocked milestone** for this cycle with several weeks to go.

Despite this progress, with the threat of down-ballot roll-off looming and tight majorities on the line, more resources are needed to secure Democratic victories.

Across our battleground states and in the most competitive districts, our latest data from the field shows we are still facing critical program gaps for essential voter contact tactics.

- ▶ \$20 million to get up on broadcast TV in majority-making races
- ▶ \$4 million to reach voters via tested mail programs
- ▶ \$2 million to fund digital ad campaigns and SMS outreach
- ▶ \$200k to support canvass programs to meet door-knocking goals

Securing Progress

We can't afford to take our eyes off the states for down-ballot Democrats heading into November to secure the future we're fighting for. 160 million Americans currently have their rights protected by Democratic majorities in state legislatures, and the DLCC's target map in 2024 will shape the future for nearly 70 million Americans. Meanwhile, Republicans' playbook is to move the MAGA agenda and Project 2025 through the states, so investing in Democrats' efforts to build power in state legislatures is a critical way to defend our future, especially if Trump ends up back in power.

The DLCC is still working to close considerable gaps in our \$60M budget for the year to support critical programming, while also working to fully fund our strategy and coordinate with our partners to fill additional remaining gaps of more than \$25 million in the states. Delivering resources down-ballot remains the best way to ensure victory at this ballot level and hold the line of defense for our fundamental freedoms and our democracy.

2024 is an election cycle and a moment to overcome past underfunding at this ballot level, do things differently, and find a new way forward as a party. Donald Trump and his allies have made the stakes in the states sky-high this year with an agenda of abortion bans, voting restrictions, LGBTQ+ attacks, and worsening the climate crisis through the states. It will take a combined effort from the top of the ticket down to ensure Democrats can defend and expand their majorities at this increasingly consequential level of the ballot. State legislatures will be decided by the closest of margins this election, and educating voters on the importance of voting all the way down the ticket will decide the future of freedoms and rights for millions of Americans.