

# In a state that hasn't elected a Republican US senator since 1972, New Jersey's incumbent Democrat Bob Menendez is unexpectedly in the fight of his life



*On paper, New Jersey should be a safe seat for the Democratic Party in this year's US Senate elections. The incumbent, Bob Menendez, won his two previous elections handily, and the state has not elected a Republican US Senator since the days of Richard Nixon. But, writes [Ashley Koning](#), Menendez has been hurt by a 2017 federal corruption case which ended in a mistrial as well as a newcomer Republican challenger who has been running as a moderate.*

- This article is part of our blog series covering key 2018 US Senate and Governor's races. [Read the rest of our coverage](#). The series is published in tandem with the LSE US Centre's public event, [Making Sense of the Midterms](#) on 7 November 2018.

Federal bribery and corruption charges. Cancer drug price hikes. And yes, claims of underage prostitution. New Jersey has always been linked to a special brand of dirty politics (anyone still remember that [traffic jam in Fort Lee?](#)), but the 2018 race for the New Jersey US Senate seat has been [one of the dirtiest in Garden State memory](#). Under almost any other circumstances, the race would not have been this close, especially in a state like New Jersey that has gone increasingly "blue" in recent decades. Democrats have won – often, comfortably and by double digits – every US Senate race in New Jersey in the past five decades. The state's senior US senator, Democratic incumbent Bob Menendez, has held the current seat since 2006 and won both of his previous elections with comfortable leads over his Republican rivals. But things are different this time around as he faces Republican newcomer Bob Hugin, because of a [2015 federal indictment](#) brought against Menendez for corruption and bribery that culminated in a trial in 2017. Now, Menendez – a twice elected, experienced incumbent who is on prominent Senate committees and at the forefront of the [immigration fight](#) – faces a battle he probably never expected in an unprecedented political climate at a time when his party needs him to retain his seat most.

## The rise and fall of Bob Menendez

[Menendez](#) may have a long history in New Jersey politics – rising from mayor of Union City through the state legislature to the US House and finally the US Senate – but that does not mean he has always been well-liked by his constituents. Initially appointed by Governor Corzine in January 2006 – who vacated that very Senate seat himself in order to become governor – Menendez faced his [first true election](#) later that year. Vying to keep his seat against Republican challenger Tom Kean, Jr. – son of beloved New Jersey Governor Tom Kean, Sr. – Menendez had a likeability problem with voters even back then. Most New Jerseyans had not formed an opinion of the senator during his first few months in office, but as Election Day 2006 drew closer, voters were more likely to have an impression – though not necessarily a good one. Voters were split on how likeable Menendez was, with slightly more unfavorable than favorable toward him between 2006 and 2007. In the lead up to Election Day, voters consistently picked Kean over Menendez when it came to who they wanted to have over for dinner, coach their child or a child they knew in sports, and manage their family finances. New Jerseyans also already had trust issues with Menendez from the start: voters in New Jersey saw his opponent Kean as more honest and trustworthy than Menendez just a month before Election Day.

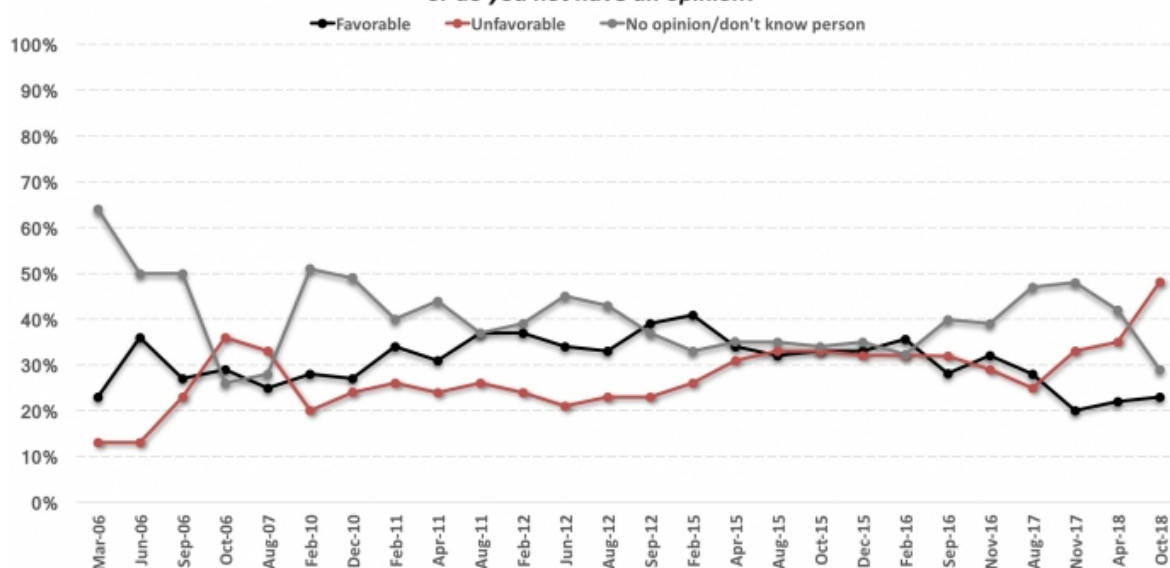
Menendez's experience, on the other hand, was his golden ticket. Menendez was the clear favorite against Kean on a number of measures related to his political skill set. Voters chose him as the one with the experience needed to effectively represent New Jersey in Washington, DC, the one who cared more about the problems of "people like you," the one who was more likely to stand up to the leaders of his own party when he disagreed with them, and the one who shared voters' views on the war in Iraq. Menendez went on to win his seat [53.4 percent to 44.3 percent](#).

By 2012, Menendez was ingrained within state and national politics, and New Jersey voters were more likely than not to say [they would re-elect the senator to another term](#) in the lead up to Election Day. Nevertheless, Menendez's favorability among his constituents was still lackluster, never once breaking the 50-percent mark and with anywhere from one in five to one in four still holding a negative impression of him.

**Sen. Robert Menendez (D-NJ) Favorability Rating**



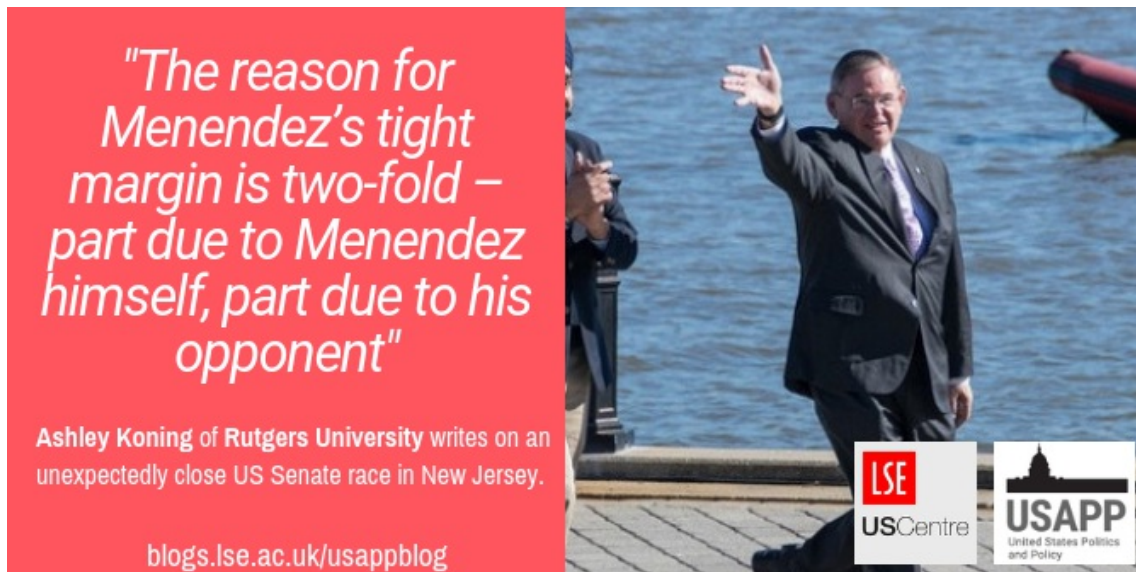
*"Is your general impression of U.S. Sen. Robert Menendez favorable, unfavorable, or do you not have an opinion?"*



Then came a federal indictment against both Menendez and his political donor and personal friend ophthalmologist Dr. Salomon Melgen in April 2015. Federal prosecutors [charged Menendez with 14 counts](#), including bribery, fraud, conspiracy, and making false statements – brought about by Melgen’s large campaign donations and lending of a private jet on multiple occasions to Menendez, as well as providing the senator with exclusive vacation getaways, in what appeared to be an exchange for various political favors. The case went to trial in late 2017, lasting 10 weeks and ending in a [mistrial](#) after a jury was unable to reach a verdict on any of the charges. The Justice Department later completely [dropped the charges](#) in early 2018, and Menendez walked away with only a “[severe admonishment](#)” from the US Senate Ethics committee and a demand from them to pay back the gifts received from Melgen.

But the charges and trial did irrevocable damage to Menendez’s reputation with New Jerseyans – especially so close to a reelection year. The senior senator fell to a new low point in [his ratings post-trial](#): more New Jersey residents disapproved than approved of his job performance, and fewer than ever before had a favorable impression of him. When asked soon after the mistrial, half felt Menendez should resign, and about the same number thought he did not deserve to be reelected in 2018 should he decide to run again; just a quarter of New Jerseyans felt Menendez deserved reelection.

What was – and continues to be – bad for Menendez in the polls was just how much of a toll reminding people about his corruption charges took on his reelection prospects. When New Jerseyans were primed with information and asked about the charges first in a Rutgers-Eagleton Poll shortly after the trial, they were markedly more likely to believe the senator did not deserve to be reelected – by double digits – compared to those asked first about his reelection before any mention of the charges. Much of the change was driven by undecideds: telling New Jerseyans first about Menendez’s charges, trial, and hung jury cut the number of those unsure about his reelection in half. Menendez has been on shaky ground ever since, hitting a new all-time low in favorability – and a corresponding all-time high in his unfavorable numbers – with New Jersey voters this past October, less likeable than both his own (previously unknown) opponent and an unpopular Republican president ... all just weeks before a critical election.



*“Re-Elect Senator Bob Menendez Rally” by John Dalton is licensed under [CC BY NC SA 2.0](https://creativecommons.org/licenses/by-nc-sa/2.0/)*

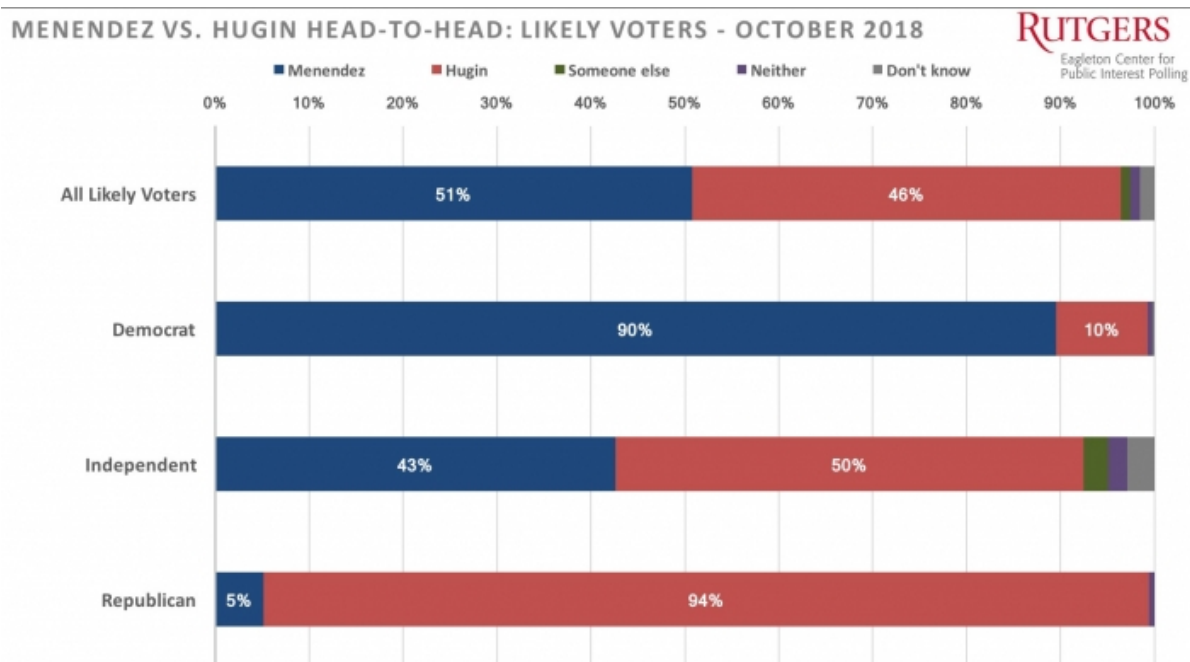
## The Battle of the Bobs

[President Donald Trump is unpopular](#) in New Jersey. Hillary Clinton handily won the state in 2016, [55 to 41.8 percent](#). [Over half of New Jersey voters](#) disapprove of the job Trump is doing as president; the same number have an unfavorable impression of him. And it's not just Donald Trump who is unpopular; his congressional counterparts in the Garden State are not favored by New Jerseyans, either. In a generic House ballot, New Jersey likely voters are far more likely to say they will vote for the Democratic candidate in their home congressional district than the Republican candidate, 54 percent to 40 percent. But for anyone who knows New Jersey – or should we say, “blue” Jersey – politics well, this statewide lean toward the left comes as no surprise.

Instead, what *is* a surprise is Menendez's struggle to maintain a lead against his Republican challenger – the former, a two-time incumbent and prominent Democrat, and the latter a former pharmaceutical executive with no prior political experience. Menendez's margin has bounced around in recent months, ranging anywhere from a 2-point to a 15-point spread since September, with more recent polls showing the spread in single digits and the Real Clear Politics average coming in at [9.2 percentage points](#). Menendez loses a majority of independents and a tenth of his base to Hugin, and Menendez voters are nowhere near as enthusiastic about voting for the incumbent senator as Hugin voters are about their own candidate. Forecasters are at odds over [whether](#) or [not](#) the surprising closeness of the race should make it a toss-up, local and state news outlets are holding their noses and reluctantly endorsing the incumbent, and Democrats in the state have recently expressed candid [concerns](#) about whether or not Menendez can pull out a win. But how did Menendez go from a reelection that was his to lose to a reelection that he could actually lose?

## Hurt by corruption and facing a “different kind of Republican”

The reason for Menendez's tight margin is two-fold – part due to Menendez himself, part due to his opponent. Menendez's corruption charges have obviously dealt a consequential blow to the senior senator: [just over half of likely voters](#) say the corruption charges play a role in their vote choice for Election Day, including six in ten independents and about a third of Democrats. Those who say Menendez's corruption charges factor into their vote choice “a lot” are more than four times as likely to choose Hugin over the incumbent senator. Only Menendez's strongest allies – women, non-white residents, and younger voters – are likely to set aside any concerns about corruption when it comes to their vote for the incumbent.



But the fire and fury over his corruption charges during this election cycle would not burn so brightly without someone providing that spark, and that someone is [Bob Hugin](#). Just who is this other Bob, anyway? A New Jersey native – oddly enough, growing up right near Menendez’s roots – Hugin is a former marine who is best known for his time at the Celgene corporation as their Chairman and CEO. Despite never holding political office, Hugin began his campaign just a few months after Menendez’s mistrial, easily sailing through the June primary. Hugin has billed himself as a “different kind of Republican” who is moderate, independent, and not beholden to Trump. He has made a point to emphasize economic issues throughout the campaign, as well as highlight his [pro-choice and pro-LGBT stances](#) – a combination that plays well in a socially progressive state that is also fed up with property taxes and an extraordinarily high cost of living.

Perhaps most importantly, Hugin has mostly financed his campaign himself, [outspending Menendez](#) almost three-to-one. This cash flow has provided him with an invaluable upper hand – blanketing the airwaves with [attack ads](#). Since summer, Hugin has repeatedly hammered Menendez on ethics, giving New Jersey voters little chance to forget the scandal and charges surrounding Menendez. Menendez started fighting back in the fall, releasing negative ads on Hugin’s past at Celgene, particularly his connection to Celgene’s [anti-cancer drug price hike](#), and Hugin’s ties to President Trump – a powerful “trump card” that may be Menendez’s key to still eking out a victory. Nevertheless, Hugin continues to dominate the media game with a steady barrage of commercials and perhaps with one of the nastiest political ads in history (at least in New Jersey) in the final weeks of the campaign – an attack focused on an [unsubstantiated claim](#) that Menendez was involved with [underage prostitutes](#) during one of his Melgen-sponsored vacations to the Dominican Republic.

## And the winner is ...

Races like this one are especially tricky to interpret in the final days for fear of under- or overstating the closeness and each candidate’s chances. Should Menendez be worried? Yes and no. On the one hand, no matter how small the margin, Menendez has been ahead in every poll taken to date, he has incumbency on his side, he is running in a state that greatly leans Democratic, and he is running during a time of a purported “blue wave” that is sweeping the midterms nationwide. FiveThirtyEight currently puts him at a [19 in 20 chance of winning](#). On the other hand, his corruption charges have done irreparable damage to his reputation and career, he is currently losing with the largest voting bloc in the state, and his victory margin over Hugin in a number of these polls has been within the margin of error. And 2016 has shown just how much uncertainty lies within the polls and how even a high probability of winning is never a guarantee.

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*Note: This article gives the views of the author, and not the position of USApp– American Politics and Policy, nor of the London School of Economics.*

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## About the author



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