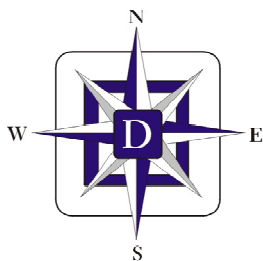


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Stars Aligning for GOP Takeover of NC Senate

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John Davis Political Report is a COMPLIMENTARY in-depth summary of the key political trends and events impacting North Carolina politics. You may circulate as you wish. John Davis has followed NC politics for twenty three years, serving as President of NCFREE and Editor of the Almanac of North Carolina Politics. He is President of John Davis Consulting, specializing in political research, analysis, forecasting and private briefings.

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Democrats on Defensive in Battleground Districts: A rare astronomical event is occurring this fall, with the stars of political fortune aligning in favor of NC Senate Republicans. For the first time in my 23 years of tracking campaigns, 100% of the "Battleground Districts" are being defended by one party: the Democrats. Senate Democrats will have to spend all of their resources defending vulnerable caucus members, while Republicans can spend their money electing new senators.

In addition to favorable circumstances associated with retirements and partisan advantages favoring GOP challengers, several Democrat senators have gotten themselves into hot water over issues from conflict of interest to the use of the "N" word. This is one of the most intense anti-establishment years on record. Voters are so angry that one mistake by an incumbent is all they need to vote them out.

What follows are the races likely to be won by Republican challengers. If these forecasts are accurate, the North Carolina Senate majority party will be Republican in 2009.

FORECAST Oct 10: Hoyle will lose to Kathy Harrington. Sen. David Hoyle (D-Gaston County), the business community's "go to guy in the senate," has taken a beating in the press, including negative editorials and angry letters to the editor, over the perception of a conflict of interest involving three votes on the funding of a toll road (Parkway between Gastonia and Charlotte) that runs near property Hoyle is developing for residential and retail use. If you give a challenger an issue like, "He exploited his position of public trust for personal gain," in an ANTI-ESTABLISHMENT environment, it will stick like super glue.

This Gaston County district is one of the most Republican friendly districts in the state. In the 43 statewide races since election-year 2000, the GOP candidate has won in this district 41 times.

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Add the anti-incumbent environment to the fact that Kathy Harrington has a gender advantage (the district is 56% female voters to 44% male voters), and also add the fact that she has been working door-to-door for months, and you can clearly see an upset in the making in this Strong Republican district. Here are links to stories raising ethical questions in the *Charlotte Observer* <http://www.charlotteobserver.com/100/story/177526.html> and the *Greensboro News & Record*. http://www.news-record.com/content/2008/09/17/article/ethics_rules_with_gaping_holes

FORECAST Oct 10: Boseman will lose to Michael Lee. Sen. Julia Boseman (D-New Hanover) is getting pounded by the news media ... especially the *Wilmington Journal* (African American newspaper) over her use of the "N" word in front of her young son. The *Wilmington Journal* has been calling for her resignation for months. See:

http://www.wilmingtonjournal.com/News/search/Article_Search.asp?NewsID=90510&sID=4

Boseman is currently facing charges of illegally forging campaign finance reports with the State Board of Elections. Her GOP opponent is a young attorney named Michael Lee. Although a newcomer to politics, local Republicans and the state GOP Senate Caucus leaders are throwing their resources behind Lee, including polls and TV ads.

Boseman entered the race as the early favorite to retain this seat for the Senate Democrats, but was derailed when court transcripts from a custody fight with her former domestic partner disclose became public. Although Boseman won joint custody, a blog called *Clean It Up Dammit!* has been created to keep the scandal in the court of public opinion for the remainder of the election year. The blog, which can be found at the web address

<http://wilmingtonshame.blogspot.com/>

This election year is intensely anti-establishment. Voters are so mad that they are looking for ANY excuse to vote against an incumbent. Boseman has provided a plenty.

FORECAST Oct 10: Foriest will lose to Rick Gunn. Sen. Tony Foriest (D-Alamance) won this seat in a 2006 upset, defeating six-term GOP Sen. Hugh Webster with a last-minute surge of money from the NC Democratic Party. Foriest spent \$342,730 to Webster's \$158,108 and barely beat him (50.7%) in a terrible GOP turnout year.

Burlington Realtor Rick Gunn (R-Alamance) has stepped forward to challenge Foriest. Republicans are looking to reclaim lost territory in this swing district, and have invested in polls and TV on Gunn's behalf. For emphasis: the district was Republican for 12 years before Foriest.

Foriest, an African American, will benefit from a historic high turnout of Black voters (the district is 21.4% Black voters). However, the Rick Gunn TV ad features the Sheriff of Alamance County, Terry Johnson, endorsing Gunn and highlighting votes Tony Foriest made that "... make it harder for sheriffs to deport illegal aliens ... and easier for illegal aliens to get out of prison early." The ad is well produced and will pack a powerful punch in Alamance County.

This election year is intensely anti-establishment. Voters are so mad that they are looking for ANY excuse to vote against an incumbent. Republicans appear to be well prepared to provide the voters of Alamance and Caswell Counties more than enough to throw out the incumbent.

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FORECAST Oct 10: Soles will lose to Bettie Fennell. Sen. R.C. Soles (D-Columbus) has been pounded in the press and TV news over incidents involving clients ... he pepper-sprayed one client on his front porch and beat another one with a shoe. The Tabor City police say incidents like this are common involving Soles. "This has been sort of an ongoing thing with a lot of clients and ex-clients. I've been here for 5 years, and it's kind of a steady amount of calls of that nature," said Tabor City Police Captain Dean Foley.

But the big story is that Soles allegedly told Marc Basnight recently that he expects to be indicted on federal charges after the election. His GOP opponent is Bettie Fennell (R-Pender), a retired Wilmington Star reporter. Fennell confronted Soles about the allegation that he will be indicted WITH THE TV CAMERAS ROLLING at a Soles "Meet-and-Greet" event. She just marched right in ... with TV news cameras rolling ... and went up to Soles and said, "What's this about you telling Basnight that you are going to be indicted after the election?"

Soles is getting deeper and deeper in trouble in much the same way we saw with Jim Black. Black was ultimately brought down by the sheer weight of negative information posted on the web site *JimBlackMustGo.com*. Once the public has enough evidence to conclude that something indictable has happened they begin to insist on official action. This is happening to Soles. I have read the blogs associated with the local newspapers and TV web sites and have seen stories about Soles with content so offensive that there are "Content Warnings" posted.

Soles had to spend \$607,786 to defeat Bill Fairley (R-Brunswick) in 2006, who spent only \$160,542. The score was 52.6% to 47.4%, in a bad Republican year. GOP turnout in 2008 is likely to be more like the typical presidential election year turnout, and Brunswick and Pender Counties are among the highest Republican voter registration growth areas in the state.

This election year is intensely anti-establishment. Voters are so mad that they are looking for ANY excuse to vote against an incumbent. Soles has provided the voters in Brunswick, Columbus and Pender Counties with more than enough excuses to throw him out.

Add the gender advantage in this race (the district's registered voters are 54% female to 46% male), to the fact that Fennell is from Pender County, with 23%, and to the fact that Brunswick County, with 49.3%, has been trending Republican for years, and the fact that Soles is in hot water in his own county, Columbus, with 27.7%, and, you can see why an upset is in the making.

http://www.starnewsonline.com/article/20080924/ARTICLES/809240249/1004?Title=Fennell_c_rashes_Soles_meet_and_greet_confronts_him_about_grand_jury_rumors

FORECAST Oct 10: Queen will lose to Keith Presnell. Sen. Joe Sam Queen (D-Haywood) won this seat in a 2006 rematch with former State Senator Keith Presnell (R-Yancey) by a very slim margin, outspending Presnell \$702,211 to \$177,875 in a bad Republican year.

This is a leaning Republican seat in the heart of Western North Carolina, including the counties of Avery, Haywood, Madison, McDowell, Mitchell and Yancy. Although a weak GOP turnout in 2006 contributed to Queen's 51.3% victory in 2006, the GOP is still in charge here. In the 43 statewide races since 2000, the Republican candidate has won in this district 33 times.

The GOP Senate political organization is likely to recapture this seat in a Presidential election year, when Republicans tend to turn out in higher numbers than non-presidential years. In 2004, Presnell defeated Queen by a solid 53% to 47%, despite being outspent \$646,456 to \$145,979.

FORECAST Oct 10: Goss will lose to Butler. Sen. Steve Goss (D-Watauga) pulled off one of the biggest upsets in the state in 2006 by defeating David Blust (R-Watauga) by 50.3% in this Strong Republican district. The district, comprised of Alexander, Ashe, Watauga and Wilkes Counties, has voted for the Republican in statewide races 40 out of 43 times since the 2000 election year. And, the senate district has always been held by a Republican, most recently by five term senator John Garwood, and before that by Congresswoman Virginia Foxx prior to her election to the U.S. Congress. This is the most Republican district held by a Democrat.

Although Butler was not the first choice of the senate GOP leadership in the primary, he has proven to be a formidable candidate in the General Election because he is a relentless and a scrappy fighter. Butler won the primary despite the fact that in 1990 the North Carolina State Board of Dental Examiners suspended his license to practice dentistry for 30 days and imposed a two-year probationary licensing period for false advertising, and required Butler to publish an ad once a month for six months, "in a newspaper of general circulation in Watauga County," stating "I am NOT an orthodontist." Butler's primary opponent used the issue ... Butler won anyway.

Butler is a counterpuncher. He is attacking Goss for supporting the land transfer tax issue, allegedly using what is known as "push polling," calling households with the intent of conveying information. There is a great web site called *Watauga Watch* that has the charges and counter charges in this race. <http://www.wataugawatch.net/labels/Jerry%20Butler.html>

The bottom line is that this is one of the safest GOP districts in the state, and Goss's win in 2006 was a fluke. Goss accidentally won by 50.33% in a terrible Republican year against an opponent who was so confident of victory that he took a vacation during the last three weeks of the race.

FORECAST Oct 10: Clary will win Dalton's open seat. Rep. Debbie Clary (R-Cleveland) is on track for winning the Swing seat held for six terms by Sen. Walter Dalton (D-Rutherford). The Democratic nominee is Keith Melton, the Rutherford County Clerk of Court. Clary has the county advantage, with about 60% of the voters in her home county ... although that never kept Dalton from winning with 10-point margins.

Although the gender advantage will be significant contributor to Clary's advantage (the district has 55% female registered voters to 45% male), but the greatest argument for a Clary win is her strength as a combatant. Clary thrives on challenges to overcome political odds against her, and she will not be outworked.

Clary can punch and counterpunch with the best of them, and that gives her an advantage in this Swing district that voted 22 times for the Republican candidate in statewide races since 2000, and 21 times for the Democrat. In 2004, President Bush received 64.5% of the vote in this district, compared to 53% for Governor Easley.

FORECAST Oct 10: Pate and Davis in toss-up race for Kerr's open seat. Rep. Louis Pate (R-Wayne) faces Snow Hill Mayor Don Davis (D-Greene) in a race for the Swing seat held for eight terms by retiring Sen. John Kerr (D-Wayne).

Davis soundly defeated Kathy Taft (D-Pitt) in the run-off election for the Democratic Primary 62.8% to 37.2%, after he and Taft outpaced the following four other Democrats on May 8: Ed Wilson (D-Wayne), former Wayne County Community College President; Tony Moore (D-Pitt), former state senator; Chuck Stone (D-Wayne), a Goldsboro health care advocate, and Charlie Johnson (D-Pitt), a former state legislator.

Davis is from Greene County, which accounts for less than 10% of the district's voters. The other 90% of the district is divided evenly by Pitt and Wayne counties. Rep. Louis Pate is from Wayne County. The variable that gives Pate a fighting chance is the fact that he will get many voters who voted for one of the five defeated Democrats (all five are from either Pitt or Wayne) just like with the presidential and gubernatorial races. Polls show that one in five Clinton voters will vote for McCain for president or not vote at all; polls show almost 1/3rd of the Richard Moore voters will vote for GOP nominee Pat McCrory in the governor's race.

Davis is an African American and will benefit from the large African American voting bloc in the district totaling right at one third of all voters. However, that advantage will be offset by the fact that Pate has run four times in Wayne County, enjoying high name ID in a county with nearly half of the district's voters, and the likely support from disgruntled Democrats.

FORECAST Oct 10: Democrats will likely hang on to seats held by Hagan and Cowell. Don Vaughan (D-Guilford) will win the race for the seat held by Sen. Kay Hagan, who retired to run against U.S. Senator Elizabeth Dole (R-Rowan). The district is a Strong Democratic district that supported the Democrat nominee in 41 of the last 43 statewide races.

Josh Stein (D-Wake) is clearly favored to win the race for the seat held by Sen. Janet Cowell, who retired to run for State Treasurer. The district is a Strong Democratic district that supported the Democrat nominee in 39 of the last 43 statewide races. A new TV ad featuring one of the state's leading Democrats, Smedes York, former Mayor of Raleigh, endorsing Johnny Mac Alexander (R-Wake) is a big surprise for most Senate watchers. The Alexander ads also feature endorsements from Sheriff Donnie Harrison and Laura Riddick (Wake County Register of Deeds who carried the district in her race.) Although Stein is more likely to win than Alexander, if anyone can pull off the upset of the decade it's Johnny Mac Alexander.

FORECAST Oct 10: Republicans will hang on to seats held by Smith and Pittenger. David Rouzer (R-Johnston) will win the race for the seat held by Sen. Fred Smith, who retired to run for Governor. The district is a Strong Republican district (Bush won nearly 70%; Burr nearly 65%; Easley 47%.) The district supported the Republican nominee in 33 of the last 43 statewide races. Sen. Bob Rucho (R-Mecklenburg) was appointed to fill the unexpired term of Sen. Robert Pittenger, who resigned to run for Lt. Governor. Rucho faces no further opposition.