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Why Republicans will likely boot out Michael Grimm

By JOSHUA SPIVAK

Despite pleading guilty to a felony for tax fraud and facing up to three years in prison, Representative Michael Grimm is trying to hold on to his Congressional seat. He has some reason to hold out hope – in the past members of Congress seemed to be able to serve out their terms in the face of scandal. But times have changed, and the nationalization of elections portends doom for Grimm.

Historically, being a representative or a senator meant that there was a decent chance of riding out a scandal – more than for a governor. We were able to see this in action repeatedly in the tri-state area. In the last decade, New York, New Jersey and Connecticut all had governors resign in the face of scandal – only one (John Rowland of Connecticut) of which resulted in jail time. The resignations were partially due to the fact that Governors are subject to impeachment proceedings. In each of the gubernatorial cases, there was little question that the opposition party would have been ready to bring an impeachment charge — if only to force the governor’s supporters to put their seats on the line and go on record with their votes in favor of the disgraced official. In Illinois we saw this scenario play out, Governor Rod Blagojevich was impeached almost immediately after he was indicted.

That’s not to say all Governors are kicked out. Plenty of governors survive scandals — South Carolina’s Mark Sanford, of “hiking the Appalachian trail” fame, was protected by the knowledge that a very unpopular lieutenant governor would succeed him. Former Nevada Governor Jim Gibbons lasted through his entire term despite persistent claims of corruption and sex abuse. The likelihood of being removed or forced to resign as a governor is historically high.

But it takes an expulsion vote by fellow legislators to kick out scandal-plagued senators and congressmen. Senator David Vitter, whose name appeared in connection with a high-profile D.C. prostitution ring, easily survived the scandal and has since been reelected. Representative Charles Rangel received a House censure for various financial irregularities — but repeatedly won reelection after that.

Outside of the 14 Civil War Era members who were tossed out for supporting the Confederacy, the Senate has only kicked out one member. What they have done is push members to the door – Nevada Senator John Ensign resigned under an ethical cloud in 2011, as did former Oregon Senator Bob Packwood, who resigned in 1995 before facing an expulsion vote for multiple sexual harassment charges.

In the House, there are even fewer expulsions. The chamber kicked out Representative James Traficant in 2002 after convictions of racketeering and bribery. Representative William Jefferson, who was later hit with a 13 year prison term, managed to serve out his term despite charges of storing almost \$100,000 in cash in his freezer.

But a recent trend against congressional inaction may be what dooms Grimm’s effort to remain on in Congress. Thanks to the increasingly nationalization of politics, from political ads to the big cable networks, senators and representatives may face political repercussions for failing to push out misbehaving colleagues in another state. We’ve seen this repeatedly in recent years. From Trey Randel, who was convicted of cocaine possession, to New York bipartisan sex scandal casualties (Anthony Weiner, Erica Massa and Christopher Lee), Congress is seeing a

host of resignations for embarrassing behavior that in most cases did not result in any formal charges.

The resignations were presumably preceded by massive internal pressure from the House and Senate leadership. Neither party wants to be seen as defending sleazy politicians. None of the members of Congress want to go on any record as supporting their misbehaving colleagues. And with the increased ability of the party leadership to cut off campaign funds and even punish potential supporters of a pariah congressman, will make Grimm's future as a legislator very hard. And there is plenty of reason to think that the Republican leadership is probably willing to go the expulsion route to avoid facing charges that they are defending a convicted criminal in their midst.

Michael Grimm's determination to hold onto his Congressional seat may have precedent, but recent congressional behavior suggests that he is days in Congress are numbered.

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