

A BOOK DISCUSSION GUIDE

for *This Is Not Florida* by Jay Weiner

ABOUT THE AUTHOR

Jay Weiner reported on the 2008 U.S. Senate recount and election contest for MinnPost.com, a Minneapolis–St. Paul news Web site. For his coverage, he received Minnesota’s prestigious Frank Premack Public Affairs Journalism Award. A longtime Twin Cities sportswriter, he is the author of *Stadium Games: Fifty Years of Big League Greed and Bush League Boondoggles* (Minnesota, 2000). He lives and works in St. Paul.

PRAISE FOR *THIS IS NOT FLORIDA*

“The epic Franken–Coleman affair made Bush–Gore 2000 seem like a brief encounter. What the national media in DC observed through binoculars, Jay Weiner saw through a microscope. He’s written a vivid tale of legal wrangling, political maneuvering, and chutzpah told with a sportswriter’s flair that puts to rest the notion that middle American politics are dull and shows that ‘Minnesota nice’ is nothing but an outdated cliché.”

—Glenn Thrush, POLITICO

“As nasty, ugly and unappealing as the battle between Al Franken and Norm Coleman was, watching the two sides explore every opportunity to pick up a vote or three in the post-election recount was just fascinating. ... The moral of the story is that every vote—every vote—counts.”

—Ken Rudin, political editor for NPR in Washington, and writer for the “Political Junkie” blog

“Weiner’s lively description of the ins and outs of the recount battle will please election junkies, political scientists and political consultants.”

—*Kirkus Reviews*

“It is a detailed accounting of the Coleman–Franken recount from start to finish ... and it is a very good read.”

—*MnPACT*

BEHIND THE 2008 MINNESOTA SENATE RECOUNT

The Norm Coleman–Al Franken 2008 U.S. Senate recount was the largest, longest, most expensive recount in American history. In the end, Franken, a former comedy writer, comic performer and radio talk-show host, defeated incumbent Coleman by a narrow 312 votes.

In the hours after Election Day 2008, Republican Coleman claimed victory. But as the hand recount of nearly 3 million votes progressed, Franken’s campaign and band of lawyers were more prepared and more scientific than Coleman’s forces. When Franken’s side sought to open wrongly reject absentee ballots, the recount game changed.

Coleman, the one-term senator, had won his Senate seat in 2002 in the wake of the tragic plane crash death of Minnesota’s liberal firebrand Sen. Paul Wellstone. Wellstone died 11 days before the election; polls showed him headed towards re-election over Coleman, the former mayor of St. Paul.

Wellstone’s sudden death and Coleman’s victory were the seeds of Franken’s commitment to run for office and take back Wellstone’s seat. A native Minnesotan, Franken won the DFL nomination, which triggered a nasty and \$40 million campaign in which he and Coleman and their surrogates traded allegations and negative commercials.

Those ugly months of campaigning and commercials—plus the existence of third-party candidate Dean Barkley—affected the electorate; as much as Democrat Barack Obama easily won Minnesota, DFLer Franken couldn’t win a majority of the state’s voters, even over Coleman, who was politically joined at the hip to unpopular President George W. Bush.

Franken and Coleman, their lawyers and Minnesota’s election and courts system became involved in the most significant recount since Bush’s own in 2000. When all the counting was done, when all the legal decisions were made, Franken became the 60th Democrat in a filibuster-proof U.S. Senate . . . if only for a while.

The Coleman–Franken election was scrutinized as much as any in U.S. history, with almost every moment of it telecast or streamed on the internet. As Minnesota Supreme Court Justice Paul Anderson told a Coleman lawyer in one contentious argument, “Counsel . . . this is not Florida!”

THIS IS NOT FLORIDA DISCUSSION QUESTIONS

1. During the long recount process, from the hand recount to the trial, Al Franken's lead lawyer Marc Elias made a series of big decisions. Looking back, which one decision was most fundamental to aiding Franken in winning the Senate seat? Was it initiating an absentee ballot "chase"? Was it deciding not to appeal the State Canvassing Board's first decision on absentee ballots? Was it paying close attention to the election judges' calls "at the table"? Where do you think the recount and election were won?
2. Chapter Five describes the contours of the 2008 Senate race. Why was Al Franken a good candidate to face Norm Coleman? How was he vulnerable? Were there any ways Franken could have avoided the controversies that dogged him throughout the campaign? Why was this election so close?
3. The title of the book may be *This Is Not Florida*, but do you spot any fundamental similarities between the 2000 George Bush–Al Gore presidential recount in Florida and the Franken–Coleman recount? What were they? Weather aside, how wasn't Minnesota like Florida?
4. Looking back, if you had a chance to chat with former Sen. Norm Coleman (or his lawyers), what questions would you ask him? What decisions did he and his legal team make throughout the recount and trial that caused you to scratch your head?
5. The examination of absentee ballot envelopes was critical to Al Franken extending his lead in the recount. There were some differences from county to county in approving the acceptability of those envelopes. If you were a state legislator, what new laws would you introduce to clean up the absentee ballot process? Or if you were a lawmaker, how would you change or fix the election process in your state? Would you eliminate absentee ballots? Would you develop centralized ballot examiners? Would you institute "early voting"? Would you consider electronic voting from home?
6. A collection of strong personalities participated in the 2008 Minnesota Senate recount, from the candidates to Supreme Court justices to lawyers to campaign managers. From your perspective, who were the three most intriguing "actors" throughout the recount process, and why? Which character would you liked to have known more about?

7. The election contest trial and appeals lasted five full months. Add the recount and the Canvassing Board activities and the entire process spanned eight months. Meanwhile, Minnesota had one Senator in Washington, D.C. Was that fair to the citizens of the state? Should Franken have been seated in the U.S. Senate after the Canvassing Board approved his victory? Or should Coleman have been allowed to stay in office while the recount process unfolded? How would you have resolved that period of time when Minnesota went under-represented?

8. What decision or action by any character in the recount—from Franken and Coleman to Elias and Hamilton or Friedberg and Ginsberg—did you find the most creative and/or most troublesome? What was Coleman’s biggest blunder? What was Franken’s best move?

9. Author Jay Weiner was a longtime sports writer before stumbling into the recount. Could you tell he brought a sports journalist’s background to this political and legal tale? Did you expect a different approach to the recount and its issues? What’s your assessment of political and legal writing in general, and do you prefer such a casual approach?

10. If you were a campaign manager and you anticipated a recount, what would you have learned from the strategies and tactics of the Franken campaign and legal teams? What lessons do you think emerge from *This Is Not Florida* that would be useful in future political campaigns and recounts?