

Menendez Leaves Re-Election Plans Murky, But Dormant Campaign Gives Hints

Senator Robert Menendez, facing federal bribery charges, has been coy about his plans. But running for office might offer advantages that have little to do with winning another term.



By Tracey Tully and Nicholas Fandos

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Plagued by legal trouble and abandoned by his allies, Senator Robert Menendez has made clear what he will not do: quit before his term is over in January.

He has taken to the Senate floor to profess that he is innocent of what he insists are trumped-up bribery charges pursued by overzealous federal prosecutors. And he has ignored widespread, sometimes mocking calls for his resignation.

But when it comes to whether Mr. Menendez, a New Jersey Democrat, intends to seek re-election, he has been uncharacteristically coy.

“I don’t think announcing it in a courtroom would be the best idea,” he said after being arraigned Monday in Manhattan for the third time on charges that he participated in a yearslong bribery conspiracy.

The vacuum has been filled by a swirl of rumors in New Jersey and Washington, and contradictory news media reports. The New York Post, for example, reported last week that Mr. Menendez would not run for re-election. Then, on Thursday, NBC News wrote that he might still run — as a political independent.

Both cited information from anonymous sources that Mr. Menendez did not directly deny or confirm. “When I decide to declare whatever my path is, I will do it then,” he told NBC. On Friday, a spokesman for the senator declined to comment about his political intentions.

Whatever he decides, Mr. Menendez has virtually no path to a fourth term. His party has abandoned him at home. Key staff members vital to any serious campaign have all quit, including his longtime political adviser. And as he shuttles in and out of court, an entire Democratic primary is proceeding without him.

“As a rule, it’s never wise to conclude that a candidate has no chance of success,” said Robert Torricelli, a former Democratic senator from New Jersey. “This is the exception.”

But running for office might offer advantages that have little to do with winning another term. By leaving the door open to re-election, Mr. Menendez is able to continue raising campaign funds that can be used to pay the two prominent law firms hired to represent him and his wife.

He badly needs the cash. Mr. Menendez drained about \$2.3 million from his campaign account for legal fees between October and Jan. 1. He has also used a defense fund established in July to pay lawyers.

Senator Menendez and his wife, Nadine Menendez, leaving federal court on Monday morning after being arraigned on additional charges. Jefferson Siegel for The New York Times

Mr. Menendez’s first decision will arrive in a matter of days, when he must choose whether to compete in the Democratic primary that he once would have won without question. Now, he would be facing off against well-known rivals, Andy Kim, a South Jersey congressman, and Tammy Murphy, the wife of Governor Philip D. Murphy, who are trouncing him in the polls.

Mr. Menendez could probably still mount a last-minute sprint to submit the 1,000 voter signatures required to get on the ballot. But so far, there is no indication he is trying.

He has declined to compete for the nomination in any of the 12 New Jersey counties that have already awarded endorsements. And Anthony Vainieri Jr., the Democratic chairman in Hudson County, Mr. Menendez's longtime political home, said he had not seen "any political activity on the ground from Senator Menendez," including collecting petitions.

If the senator does compete for the Democratic nomination, he would appear on a primary ballot with his son, Rob Menendez, a first-term congressman who is fighting for political survival against the mayor of Hoboken, Ravi Bhalla — a potentially confusing scenario for voters.

Complicating matters for the senator: The June 4 primary is expected to take place during the fourth week of what is likely to be a seven-week criminal trial, according to a schedule set by a federal judge.

A campaign as an independent candidate in the November general election, on the other hand, could come after the criminal charges are resolved, either by trial or judicial decision.

Mr. Menendez and his lawyers have asked a judge to dismiss the indictment that accuses him of trading his political influence for a luxury car, hundreds of thousands of dollars in cash and bricks of gold. The judge, Sidney H. Stein of Federal District Court, ruled Thursday that he did not have immunity from prosecution based on a constitutional argument — a decision Mr. Menendez has the right to appeal.

Judge Stein has yet to rule on the second half of the senator's legal argument that could result in dismissal.

Mr. Menendez has until June 4 to file to run as an independent in November.

But even that seems somewhat far-fetched to New Jersey political observers and Democrats involved in national campaign strategy in Washington.

A prominent New Jersey labor leader said that six years ago, as the senator was running for re-election after an unrelated bribery trial ended with a hung jury in 2017, he got a call from the senator's camp, asking for donations. This year, he said, no one connected to Mr. Menendez has called at all.

LeRoy J. Jones Jr., the chairman of New Jersey's Democratic State Committee, also said he had heard no whispers that Mr. Menendez was seriously mulling a run.

"Yeah, I would hear," he said, adding that if Mr. Menendez did run it would most likely result in a rout.

“I just don’t see where he would get any kind of traction,” said Mr. Jones, who called on Mr. Menendez to resign soon after he was indicted in September.

“Look at the polls. The majority of the people think he’s guilty.”

Hector Oseguera, a lawyer who in 2020 lost a Democratic primary race for Mr. Menendez’s former House seat in northern New Jersey, said the senator’s brand remained surprisingly strong among Latino voters.

“This is probably the only part of the state where Bob Menendez could win an election — probably pretty easily,” said Mr. Oseguera, who is not a supporter.

But several independent polls have indicated that he is deeply unpopular statewide. Nearly 75 percent of people surveyed in a recent Monmouth University Poll disapprove of his Senate performance, and a similar number of voters said they believed he was guilty.

There is little evidence that he is actively working to change voters’ minds.

Social media accounts associated with his campaign went dark in mid-September, and his political website warns visitors, “Sorry, the page you are trying to access is not accepting submissions at this time.”

A phone number listed on the site is no longer in service.

Federal Election Commission filings from January showed that while Mr. Menendez was still paying thousands of dollars a month to fund-raising consultants, he did not have a single person on his campaign payroll between his indictment and the end of 2023.

Meanwhile, his longtime allies in Hudson County have moved on. Most have called for his resignation and embraced Ms. Murphy’s Senate candidacy.

“He’s been at nothing — absolutely nothing,” said Steven Fulop, the mayor of Jersey City, who has sparred with Mr. Menendez in the past.

“People he used to speak to regularly,” he added, “they don’t hear from him anymore.”

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