



NEWLY ELECTED STATE ATTORNEYS GENERAL: PROFILES AND PRIORITIES

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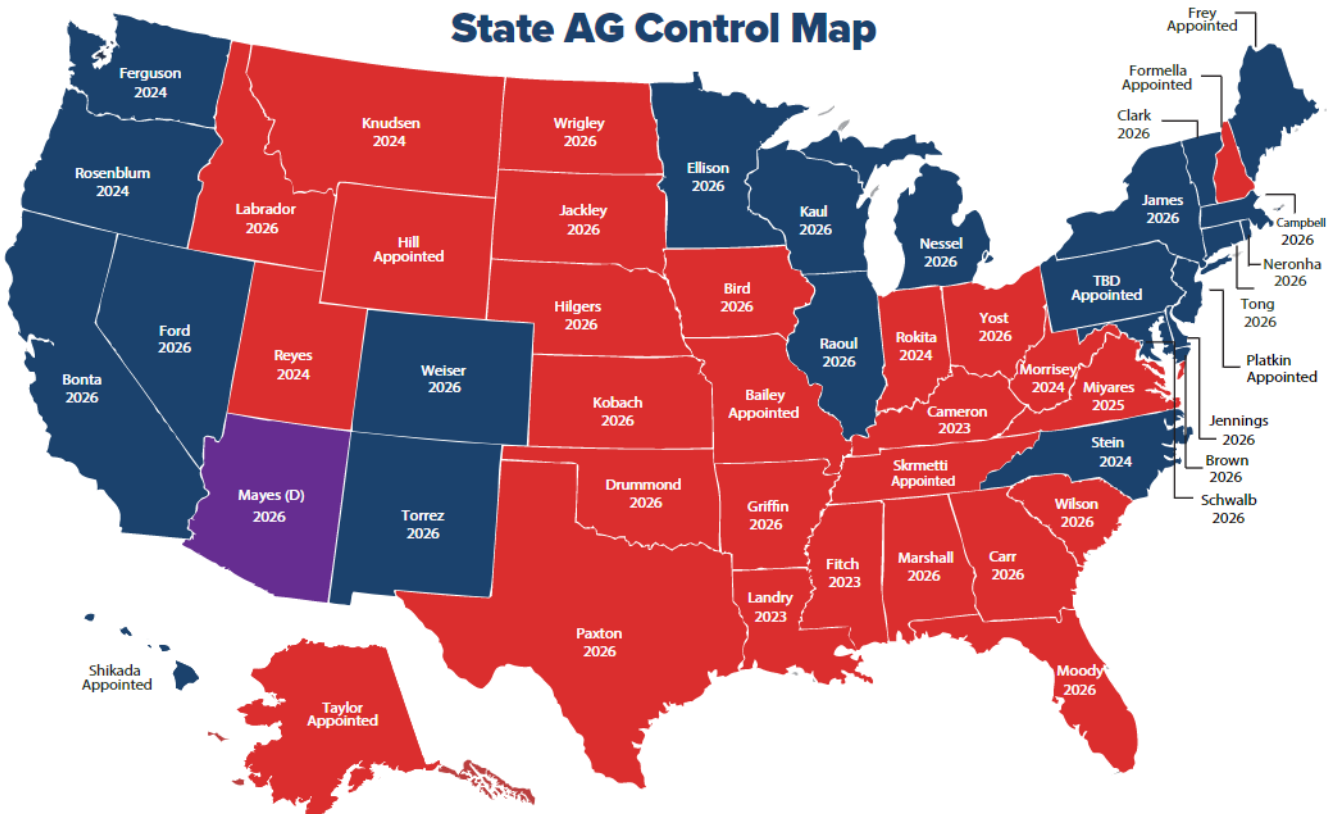
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State AG Control Map



■ GOP
■ DEM
■ RECOUNT

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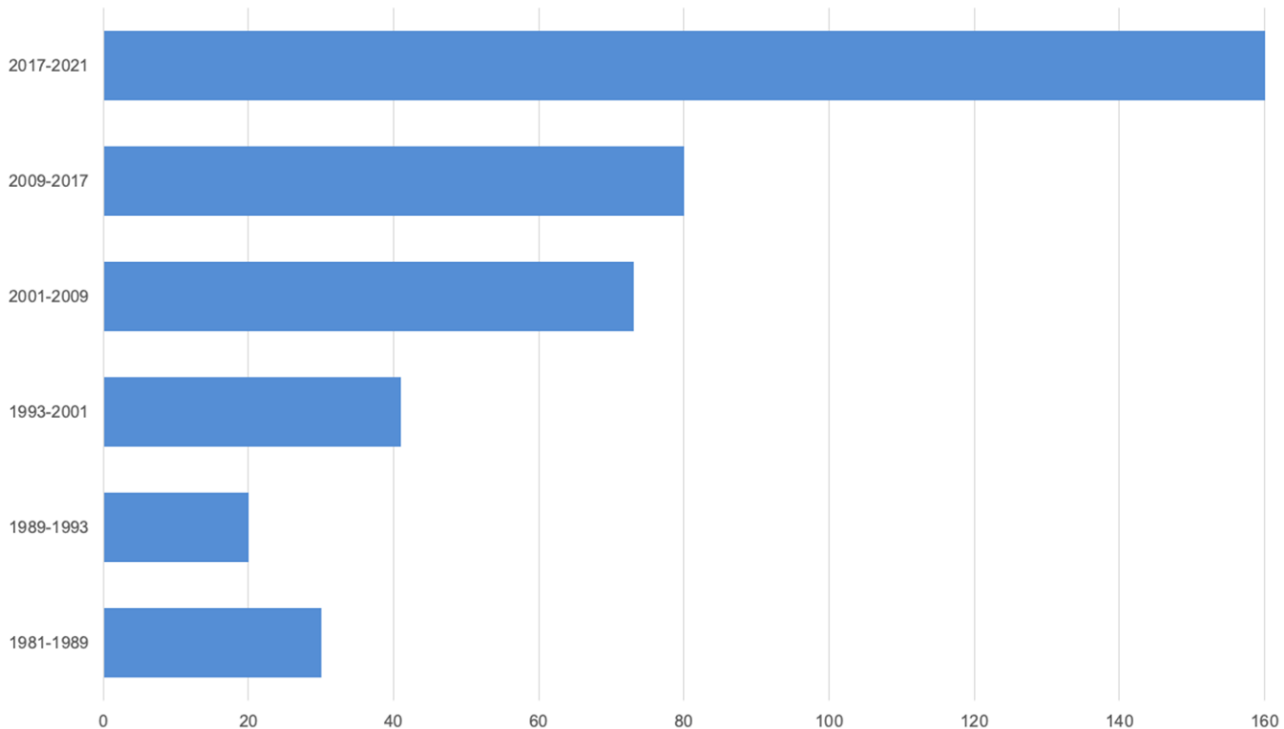
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Introduction: The People’s Lawyer

State attorneys general are more active and influential than ever.¹ While they continue to collaborate on multistate investigations of consumer protection and antitrust issues, they also view themselves as activists, operating along party lines as a bulwark against—or defenders of—incumbent administrations. During the Trump Administration and current Administration, state AGs have become increasingly active in mounting legal challenges to federal policies and legal positions, sometimes prompting AGs of the other party to weigh in on the opposite side. (See *Figure 2 – Partisan multistate lawsuits filed against the federal government, 1981–2021*)

Figure 2 – Partisan multistate lawsuits filed against the federal government, 1981–2021



This past fall there were 31 contested state AG elections, and one office previously held by a Democrat (Iowa) will now be held by a Republican. The AG race in Arizona headed to an automatic recount because Republican candidate Abraham Hamadeh trailed Democrat Kris Mayes by just 510 votes, or less than 0.03 percent.² On December 29, 2022, Judge Timothy Thomason confirmed that Kris Mayes won the race for attorney general by a 280-vote margin.³ (See *Table 1 – 2022 Attorney General Races* below.)

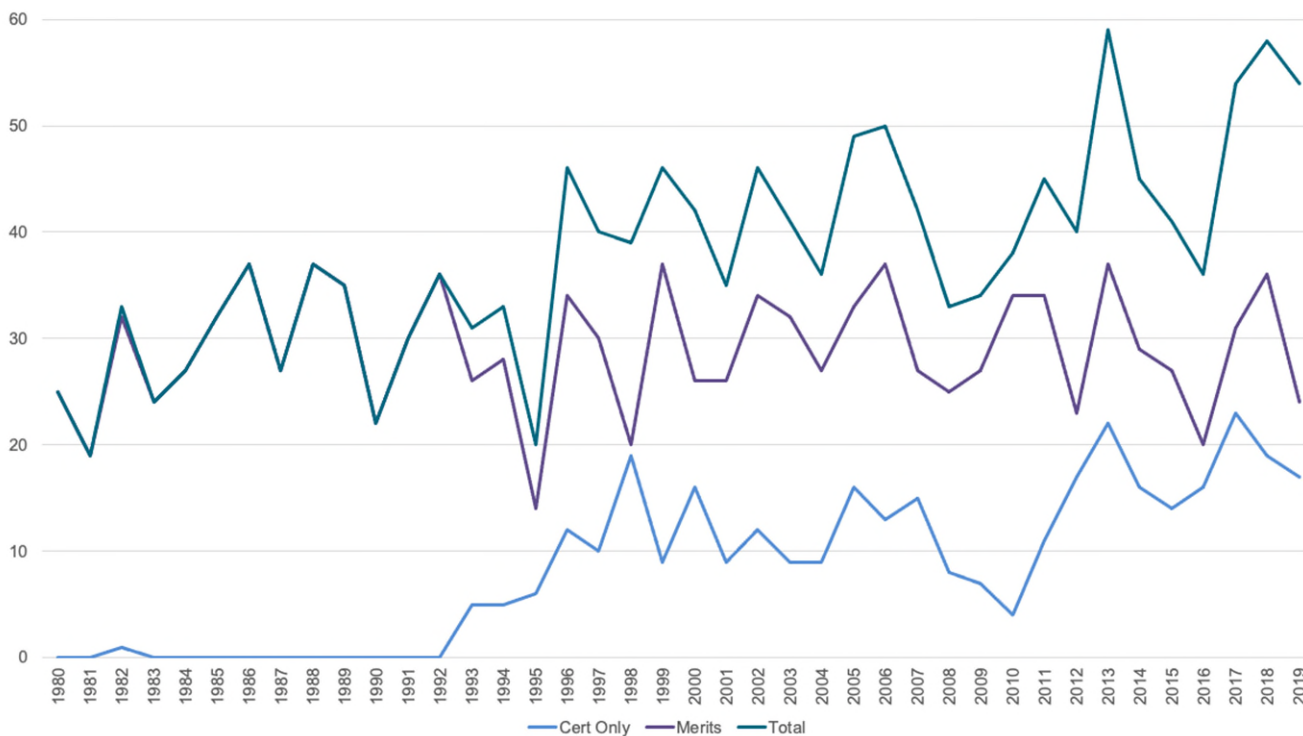
Reflecting the rising importance of the office, a record amount of money was spent on AG contests; some estimates place the total at \$161 million, or roughly three times the highest previous total for a midterm election.⁴ Republicans will occupy 27 and Democrats will hold 24 of the 51 AG offices starting in 2023 (assuming that the result in Arizona is not reversed by recount or legal challenge), which is the same as prior to the election, with the Arizona election result favoring the Democratic candidate still not certified. Regardless of party, those in office will affect businesses and consumers in crucial ways. This report provides an overview of America’s newly elected and appointed AGs, paying special attention to their histories as lawyers, legislators or policymakers in other roles, and to the pledges they made on the campaign trail.

The office of AG has roots in thirteenth century England, when kings appointed attorneys to represent their “regal interests” across their kingdom.⁵ American state AGs are counsel to state executive branch agencies and sometimes to state legislatures and offices of the judiciary. Importantly, they also represent the public interest more broadly through their roles in areas such as consumer protection, antitrust, and law enforcement.⁶ Once strictly

viewed as the “government’s lawyers,” AGs are often now seen as independent officers “responsible for justice.”⁷ Following this trend, AGs in 43 states⁸ and the District of Columbia are now popularly elected.⁹

Either independently or in consultation with their state agency clients, state AGs have the authority to initiate lawsuits and influence litigation. State AGs affect policymaking by advising state lawmakers, defending state laws and regulations, and defending or challenging federal laws and policies—often by authoring “friend of the court” briefs (See *Figure 3 – Multistate Amicus Briefs, 1980–2019*).¹⁰ They directly influence state law and policy by drafting “AG request” legislation, which is introduced on their offices’ behalf by state legislators. In many states, the AG’s powers arguably are exceeded only by the governor who is “responsible for the faithful execution of the laws.”¹¹

Figure 3 – State AG Amicus Briefs, 1980–2019



America's Newest State Attorneys General

As noted above, in the 2022 midterm elections, 31 states had contested Attorneys General elections, producing 15 new state AGs so far. The Arizona AG race was decided by just 510 votes, triggering an automatic recount and a legal challenge. On December 29, Judge Timothy Thomason announced that Democrat Kris Mayes will be Arizona's next attorney general.¹²

In Missouri, AG Eric Schmitt was elected to the U.S. Senate; his successor recently was appointed by the Governor to fill out his term. In Pennsylvania, AG Shapiro was elected governor and his successor will be announced next month, bringing us to 16 new AGs as a result of the midterm elections.

The table below reviews these changes and is followed by an overview of each of the newly elected, reelected, and appointed AGs. The new AGs' professional background and likely priorities in office are summarized.

State	Incumbent	Open Seat?	Newly Elected
Arizona	Mark Brnovich	Yes	Kris Mayes
Arkansas	Leslie Rutledge	Yes	Tim Griffin
Idaho	Lawrence Wasden	No	Rául Labrador
Iowa	Tom Miller	No	Brenna Bird
Kansas	Derek Schmidt	Yes	Kris Kobach
Maryland	Brian Frosh	Yes	Anthony Brown
Massachusetts	Maura Healey	Yes	Andrea Campbell
Missouri	Eric Schmitt	Yes	Andrew Bailey ¹
Nebraska	Doug Peterson	Yes	Mike Hilgers
New Mexico	Hector Balderas	Yes	Raúl Torrez
North Dakota	Wayne Stenehjem	Yes	Drew Wrigley ²
Oklahoma	John O'Connor	No	Gentner Drummond
South Dakota	Mark Vargo	Yes	Marty Jackley
Vermont	T.J. Donovan ³	Yes	Charity Clark
Washington, D.C.	Karl Racine	Yes	Brian Schwalb

¹ On November 23, 2022, Governor Parson announced that he is appointing his general counsel, Andrew Bailey, to become Missouri's next Attorney General. Mr. Bailey will serve out the remaining two years of Attorney General Eric Schmitt's term. General Schmitt was elected to the U.S. Senate in this past election cycle. Mr. Bailey has already indicated that he plans to run for a full four-year term in 2024.

² Interim Attorney General Drew Wrigley (R), a former U.S. Attorney and Lieutenant Governor, defeated attorney Timothy Lamb (D). Wrigley was nominated by Governor Burgum to serve out the remainder of the term of Attorney General Wayne Stenehjem (R), who unexpectedly passed away at the beginning of 2022.

³ Attorney General T.J. Donovan (D) stepped down on June 20, 2022, to pursue an opportunity in the private sector. Outgoing Attorney General Susanne R. Young (R) was appointed to complete the remainder of General Donovan's term and did not seek election to the office.



Arizona | Kris Mayes (D)

<https://krismayes.com/>

Former Arizona Corporation Commission Chair and journalist Kris Mayes received 510 more votes than former Maricopa County prosecutor Abraham Hamadeh (R). The closeness of the race triggered an automatic recount under Arizona law.¹³ On December 29, 2022, Judge Timothy Thomason confirmed that Ms. Mayes won the attorney general race by a 280-vote margin.¹⁴

During her tenure on the Corporation Commission, Ms. Mayes focused on ratepayer savings, renewable energy and clean air and water.¹⁵ She previously served as press secretary for Janet Napolitano’s successful campaign for Arizona Governor and took a senior role in the Napolitano Administration in 2003, although Ms. Mayes was a former Republican (she became a Democrat in 2019).¹⁶ Later that year, Governor Napolitano appointed Ms. Mayes to serve as Corporation Commissioner.¹⁷ Since 2010, Ms. Mayes worked as a senior sustainability scientist at ASU’s School of Global Sustainability and teaches a course on energy law for the Sandra Day O’Connor College of Law.¹⁸

Consumer protections will likely be a focus of Mayes’ tenure. On the campaign trail, Mayes called for the resignation of outgoing AG Mark Brnovich for diverting funds dedicated for consumer protection for unrelated engagements.¹⁹ Mayes has indicated that she will focus on clean water and air, elderly abuse and fraud as well as any state attempts to ban abortions, vowing not to prosecute medical professionals for their assistance in any related procedure.²⁰ With respect to border protection and human trafficking, Mayes has indicated that the state will “need to get Airbnb and Vrbo (vacation rental sites) to come to the table.”²¹

BACKGROUND²²

- Professor, Director, Energy Policy Innovation Council and the Utility of the Future Center, Arizona State University, 2011–Present
- Principal, The Kris Mayes Law Firm, 2011–Present
- Commissioner, Arizona Corporation Commission, 2003–2010
- Director of Communications, Office of Gov. Janet Napolitano, 2002–2003
- Reporter, *The Arizona Republic*, 1996-1998
- Reporter, *The Phoenix Gazette*, 1994-1996
- Arizona State University, B.A., Columbia University, Master, Arizona State University, J.D., 2003

PRIORITIES

- **Border Security:** Mayes indicates that she will work with law enforcement officials on the local, state and national level, to address public safety issues with respect to the cartels and drugs, weapons and human trafficking.²³
- **Consumer Fraud:** Mayes specifically calls out “fraud and cyber scams” with respect to her focus on consumer protections.²⁴
- **Corporate Accountability:** Mayes states that “[c]orporations won’t get a free pass,” referencing her work on the Arizona Corporation Commission on the 2003 Kinder Morgan gas pipeline rupture.²⁵
- **Elder Abuse:** Mayes specifically calls out oversight needs for long-term care facilities and pledges, among other things, to form a statewide task force to address elderly abuse.²⁶
- **Environment:** Mayes released a “16-Point Plan to Preserve Water Supplies, Investigate the Saudi Water Grab in the Butler Valley and Combat Water Pollution.”²⁷

- **Reproductive Rights:** Mayes pledges not to prosecute cases involving medical professionals that assist with abortion and other reproductive services.²⁸
- **Voting Rights:**²⁹ Mayes pledges to protect absentee and mail-in voting and previously submitted an amicus brief on the topic in a case between the Arizona Republican Party and Arizona Secretary of State, and now Governor-elect, Katie Hobbs.³⁰
- **Fentanyl Crisis:** Mayes supports “an all-hands-on-deck” approach, including working with other state attorneys general, to the opioid crisis and will advocate before the legislature for legislative “proactive, evidence-based harm reduction strategies, such as the legalized syringe exchanges and fentanyl test strips,” a law signed by Governor Ducey in 2021.³¹
- **Public/Political Corruption:** Mayes pledges to “investigate and prosecute public and political corruption” through the Attorney General’s office of Fraud & Special Investigations Section.³²



Arkansas | Tim Griffin (R)

<https://timgriffinforag.com/>

Lieutenant Governor Tim Griffin (R), who is also a former U.S. House Member and U.S. Attorney, was elected with a 68% to 32% majority, defeating attorney and Little Rock Parks and Recreation Commission member Jesse Gibson (D).³³ Outgoing two-term AG Leslie Rutledge (R) was term limited and was elected Lieutenant Governor this election cycle.

Mr. Griffin was first elected lieutenant governor of Arkansas in 2014.³⁴ As lieutenant governor, Mr. Griffin focused on economic development, parental choice in education, and state government reforms.³⁵ Mr. Griffin previously served as a Member of the U.S. House of Representatives for Arkansas's Second Congressional District from 2011 to 2015 where he was a member of the House Ways and Means Committee, House Armed Services Committee, House Foreign Affairs Committee, House Ethics Committee, and the House Judiciary Committee.³⁶ In these roles, he advocated for tax reform and entitlement reform to grow jobs and reduce the national debt.³⁷

During the Bush Administration, Mr. Griffin also served as U.S. Attorney for the Eastern District of Arkansas and as Special Assistant to the President and Deputy Director of Political Affairs. Mr. Griffin has served as an officer in the U.S. Army Reserve, Judge Advocate General's (JAG) Corps, for over 25 years and holds the rank of colonel.³⁸ He is currently serving as the Commander of the 134th Legal Operations Detachment (LOD) at Fort Bragg, North Carolina.³⁹

In a solidly red state, Griffin will continue a conservative approach to crime, social issues, and federal policies from the Biden/Harris Administration.⁴⁰ Griffin has indicated that he is already working on legislation with state lawmakers for the upcoming legislative session, which may include more restrictions on parole eligibility for violent offenses.⁴¹ He also opposed an unsuccessful ballot initiative to legalize recreational marijuana, citing it would place the state in a competitive disadvantage to attract jobs from the technology and auto industries.⁴² Griffin will likely join other Attorneys General from red states to oppose initiatives from President Biden.⁴³

BACKGROUND⁴⁴

- Lieutenant Governor, Arkansas, 2015–Present
- JAG Officer, Colonel, 1996–Present
- Senior Counselor, Brunswick Group, 2017–2021
- Senior Advisor for Communications and Growth Strategies, Purple Strategies, 2015–2016
- Congressman, U.S. House of Representatives, 2011–2015
- Attorney, The Griffin Law Firm, PLLC, 2008–2010
- General Counsel and Managing Director, Mercury Public Affairs, 2007–2008
- U.S. Attorney for the Eastern District of Arkansas, U.S. Department of Justice, 2006–2007
- Special Assistant to the President, The White House, 2005–2006
- Research Director and Dep. Comms Director, Republican National Committee, 2002–2004
- Special Assistant to the Assistant Attorney General, U.S. Department of Justice, 2001–2002
- Senior Investigative Counsel, House Government Reform Committee, 1997–1999
- Associate Independent Counsel, Office Independent Counsel, 1995–1997
- Associate Attorney, Jones Walker LLP, 1994–1995
- Hendrix College, B.A., The United States Army War College, Master, Tulane University Law School, J.D., 1994



Idaho | Raúl Labrador (R)

<https://labrador2022.com/>

Former U.S. Representative Raúl Labrador (R) was elected with a 63% to 37% majority, defeating attorney Tom Arkoosh (D).⁴⁵ Earlier this year, Labrador defeated five-term AG Lawrence Wasden in the Republican primary.⁴⁶

Mr. Labrador is an immigration, criminal, and adoption law attorney⁴⁷ and previously served two terms in the Idaho House of Representatives and four terms in the U.S. House of Representatives as a congressman representing Idaho's first congressional district. While in Congress, Mr. Labrador advocated for immigration, justice reform, and the Second Amendment. Mr. Labrador was also a founding member of the conservative Freedom Caucus and an early supporter of former President Donald Trump.⁴⁸

Mr. Labrador's vision for attorney general is to be a watchdog over individual rights and prevent federal overreach.⁴⁹ On the campaign trail, Mr. Labrador indicated that he would ensure Idaho was more involved in landmark cases before the Supreme Court and more aggressive in defending "states' rights against the 'overstepping' of the federal government.⁵⁰ Labrador also highlighted his conservative credentials on the campaign trail, having earned high ratings with the American Conservative Union, Family Research Council, and National Rifle Association.⁵¹ He was also named a "Guardian of Small Business" by the National Federation of Independent Business.⁵²

BACKGROUND:⁵³

- Congressman, U.S. House of Representatives, 2011–2019
- State Representative, Idaho House of Representatives, 2006–2010
- Founding Partner, Labrador Law Offices, PC, Nampa and Boise, 2000–2011
- Law Clerk, United States Court for the District of Idaho

PRIORITIES:⁵⁴

- **Border Security:** Labrador backed federal legislation to increase armed immigration enforcement, harsher penalties for immigration law violations and punish "sanctuary cities."⁵⁵
- **Public Safety:** Labrador backed policies "targeting gang members."⁵⁶
- **Second Amendment:** Labrador supported federal right-to-carry legislation.⁵⁷
- **Federal Overreach:** Labrador will likely join Republican AGs to challenge the Biden administration on various executive actions.⁵⁸
- **Religious Freedom:** As a lawmaker, Labrador proposed legislation that would enshrine federal protections for individuals who do not recognize same-sex marriages.⁵⁹
- **Education Choice:** Labrador pledges to "help enable parents to freely exercise their right to direct their children's education without fear of federal retaliation."⁶⁰



Iowa | Brenna Bird (R)

<https://brennabirdag.com/>

Guthrie County Attorney Brenna Bird (R) was elected with a 51% to 49% majority, narrowly defeating the longest-serving AG in U.S. history, Tom Miller (D).⁶¹ Ms. Bird previously challenged AG Miller in 2010 and lost.⁶²

Ms. Bird is the former County Attorney for Guthrie County and President-elect of the Iowa County Attorney Association. She also previously served as counsel to Governor Terry Branstad.

Ms. Bird's campaign focused on abortion access and the opioid epidemic.⁶³ During a debate, Ms. Bird criticized AG Miller for declining to defend the state's "fetal heartbeat" law, which would ban most abortions after six weeks.⁶⁴ The law was later blocked in court.⁶⁵

As AG, Ms. Bird has pledged to be more vigilant on crime and counter executive actions. During the election, Ms. Bird has highlighted her experience prosecuting criminal cases.⁶⁶ She pledges to "call on the Biden administration to secure the southern border and stop the flow of illegal drugs."⁶⁷ Ms. Bird also pledged to challenge other executive actions by President Biden, including regulations issued by the Environmental Protection Agency on water quality, herbicides and endangered species' protections.⁶⁸

BACKGROUND:⁶⁹

- Guthrie County Attorney, Guthrie County Attorney's Office, 2019–Present
- Attorney at Law, Bird Law Office, 2015–Present
- Adjunct Professor of Law, University of Iowa, 2014–Present
- Fremont County Attorney, Fremont County, Iowa, 2016–2018
- Legal Counsel, Governor Terry E. Branstad, 2011–2015
- Attorney, Whitaker Hagenow GBMG, 2010–2011
- Candidate, Attorney General of Iowa, 2010
- Chief of Staff, Representative Steve King, U.S. House of Representatives, 2003–2010
- Drake University, B.A., University of Chicago Law School, J.D. 2001

PRIORITIES:

- **Executive Overreach:** Bird plans to join other Republican AGs and challenge the Biden administration in court on a host of matters, including agriculture and COVID-19 measures.⁷⁰
- **Public Safety:** Crime is a top priority. Bird pledges to focus on "violent crime and open a dedicated cold case unit."⁷¹
- **Border Control; Opioid Epidemic:** Bird indicates that she will focus on border control to prevent illegal fentanyl from being trafficked into Iowa.⁷²
- **Abortion Access:** Bird identifies as "100% pro-life" and pledges to "defend laws passed by the Iowa Legislature restricting abortion."⁷³



Kansas | Kris Kobach (R)

<https://kriskobach.com/>

Former Secretary of State Kris Kobach (R) was elected with a 51% to 49% majority, defeating former Wyandotte County District Deputy Attorney and police officer Chris Mann (D) by just 22,699 votes.⁷⁴ Outgoing AG Derek Schmidt (R) opted to run for Governor and lost to incumbent Governor Laura Kelly (D).⁷⁵

Mr. Kobach previously served as Kansas Secretary of State from 2011 to 2019 where he prosecuted election-related crimes. He also served in the United States Department of Justice under AG John Ashcroft as Counsel to the Attorney General. In this role, he litigated high-profile cases challenging President Obama's DACA amnesty program on behalf of ten immigration customs enforcement agents. Mr. Kobach is currently litigating federal lawsuits against the Biden administration related to vaccine mandates, immigration, and religious freedom.

As attorney general, Mr. Kobach has vowed to fight the Biden administration in court and intends to position Kansas among the states mounting legal challenges against the federal government.⁷⁶ Mr. Kobach has noted on the campaign trail that he filed three lawsuits against the President, including a successful one against OSHA for vaccine mandates, the Department of Homeland Security on detainment and deportation policies and the prevention of the Air Force from relieving pilots "for exercising their religious beliefs."⁷⁷

BACKGROUND:⁷⁸

- Secretary of State, Kansas, 2011–2019
- State Senate and U.S. House Campaigns, 2000, 2004
- Law Clerk for Judge Deanell Reece Tacha, 10th Circuit, 1995
- Faculty, University of Missouri-Kansas City School of Law, 1996
- Harvard College, Bachelors, Oxford University, Master and Doctorate, Yale Law School, J.D., 1995

PRIORITIES:

- **Federal Overreach; Environment:** Kobach pledges to sue the Biden administration against efforts to limit certain activities in Kansas, such as endangered species protections that would prohibit oil drilling.⁷⁹
- **Border Security; Opioids:** Kobach plans to "focus on stopping drug cartels from bringing the highly lethal drug across the southern border."⁸⁰ Kobach previously served as general counsel to the "We Build the Wall" campaign.⁸¹
- **Second Amendment:** Kobach opposes "red flag" laws and bans on assault rifles, which suggests he will likely join other Republican AGs in lawsuits against the Biden administration in the future to limit Second Amendment rights.⁸²
- **Elections:** Kobach opposes, and wants to eliminate, election drop boxes.⁸³
- **Abortion Rights:** Kobach supported an unsuccessful ballot measure that would have eliminated certain protections for abortion rights from the Kansas Constitution and pledges to defend existing restrictions as AG.⁸⁴



Maryland | Anthony Brown (D)

anthonybrown.com

Former U.S. Representative and Lieutenant Governor Anthony G. Brown (D) was elected with a 65% to 35% majority.⁸⁵ Mr. Brown defeated attorney and former Anne Arundel County Councilman Michael Anthony Peroutka (R), becoming the first Black person elected to the office.⁸⁶ Outgoing AG Brian Frosh (D) was first elected in 2014 and decided not to seek reelection in 2022.

Mr. Brown served as Lieutenant Governor from 2007–2015, and prior to that, he served eight years in the General Assembly, rising to the positions of Vice Chairman of the Judiciary Committee and Majority Whip of the House of Delegates.⁸⁷

Mr. Brown also served in the U.S. House of Representatives, representing Prince George’s and Anne Arundel Counties, where he was a member of the Armed Services Committee, Transportation and Infrastructure Committee, and Veterans Affairs Committee. He was also a Board Chair of the Prince George’s Community College and a member of Community Legal Services of Prince George’s County and the nonprofit Adoptions Together.

Mr. Brown is a retired Colonel in the United States Army Reserve. He served as an aviator and JAG officer for more than 25 years.

During the campaign, Mr. Brown pledged to preserve a woman’s right to choose an abortion, expand voting and civil rights, crack down on gun and drug trafficking, work to decriminalize marijuana, and protect the environment.⁸⁸ As attorney general, he intends to double the attorney general’s crime unit and address violent crime.⁸⁹

BACKGROUND:⁹⁰

- U.S. Representative, Maryland’s 4th Congressional District, 2017–Present
- Lieutenant Governor of Maryland, 2007–2015
- Maryland State Assemblyman, 1999–2007
- Assembly Majority Whip, 2004–2007
- U.S. Army Reserve, 1989–2014
- United States Army, 1984–1989
- Harvard University, A.B., 1984, Harvard University, J.D. 1992

PRIORITIES:⁹¹

- **Address Violent Crime:** Mr. Brown has pledged to double the size of the attorney general’s organized crime unit and strengthen relations with local state attorneys across Maryland.⁹²
- **Criminal Justice Reform:** Mr. Brown intends to reform the criminal and juvenile justice systems to make them more equitable, including identifying any biases that have led to an overincarceration of young Black men.⁹³
- **Protect Abortion Rights:** Mr. Brown also pledged to protect abortion rights in Maryland, including the rights of women who come to Maryland from other states for an abortion.⁹⁴



Massachusetts | Andrea Campbell (D)

<https://www.andreacampbell.org/>

Boston City Councilor Andrea Campbell (D) was elected with a 63% to 37% majority.⁹⁵ Ms. Campbell defeated defense attorney and former military police officer Jay McMahon (R), becoming the first Black woman to hold the office.⁹⁶ Outgoing AG Maura Healey (D), who was first elected in 2014, instead ran and won her bid for Governor this year.

Ms. Campbell served as Boston City Councilor from 2016 to 2022, including two years as City Council President. She previously unsuccessfully sought Boston’s mayoral office in 2020. Ms. Campbell is an employment attorney and served as General Counsel at the Metropolitan Area Planning Commission. Ms. Campbell has also served as legal counsel to Governor Deval Patrick.⁹⁷

Ms. Campbell’s campaign focused on defending abortion access and spreading economic opportunities throughout the state. As attorney general, Ms. Campbell pledged to create a reproductive justice unit in the attorney general’s office.⁹⁸

BACKGROUND:⁹⁹

- Boston City Council, 2016–2020
- Deputy Legal Counsel, Office of Governor Deval L. Patrick, 2013–2014
- Interim General Counsel, Metropolitan Area Planning Council, 2013
- Associate, Proskauer Rose, LLP, 2010–2012
- Staff Attorney, The EdLaw Project, 2010–2011
- Princeton University, B.A., University of California, Los Angeles – School of Law, J.D. 2009

PRIORITIES:¹⁰⁰

- **Target Crime and Corruption:** During the campaign, Ms. Campbell spoke openly about her father’s and brother’s involvement in the criminal justice system.¹⁰¹ Her twin brother also died in state custody, which makes this a highly personal issue for her and one of her top priorities.¹⁰² Ms. Campbell vowed to “look at every issue through an equity lens” and focus on how communities of color are “disproportionately policed and incarcerated.”¹⁰³
- **Address the Housing Crisis:** Ms. Campbell said she would “stress what the office can do” in the areas of housing and would aim to “remove barriers to affordability” and give “families the tools they need to buy and stay in their homes.”¹⁰⁴ She also intends to protect tenants and homeowners alike and take on companies who “jack up our prices and charge us too much money.”¹⁰⁵
- **Prioritize Mental Health:** Ms. Campbell intends to make protecting children and mental health a priority by ensuring all children have “access to behavioral health services, a high-quality education, and are protected against discrimination and bullying.”¹⁰⁶



Missouri | Andrew Bailey (R)

<https://ago.mo.gov/>

On November 23, 2022, Governor Parson announced that he is appointing his general counsel, Andrew Bailey, to become Missouri’s next Attorney General.¹⁰⁷ Mr. Bailey will serve out the remaining two years of Attorney General Eric Schmitt’s term.¹⁰⁸ General Schmitt was elected to the U.S. Senate in this past election cycle. Mr. Bailey has already indicated that he plans to run for a full four-year term in 2024.¹⁰⁹

During the press conference, Mr. Bailey indicated that he is “excited to get to work on behalf of Missourians to uphold the rule of law, protect freedoms, and ensure our kids and grandkids inherit a better world. My entire career has been defined by public service, and now I’m ready to continue that service as your Attorney General, where I will work tirelessly to earn your trust and never stop fighting on your behalf.”¹¹⁰

Mr. Bailey joined the Governor’s Office as Deputy General Counsel in 2019. He has also served as a Missouri Assistant Attorney General, Assistant Prosecuting Attorney for the Warren County Prosecuting Attorney’s Office, and as General Counsel for the Missouri Department of Corrections. Prior to law school, Mr. Bailey was an officer in the U.S. Army and was deployed twice as part of Operation Iraqi Freedom. He is a decorated veteran and previously awarded two Army Achievement Medals, an Army Commendation Medal, a Combat Action Badge, and two Bronze Star Medals for his service.¹¹¹

BACKGROUND:¹¹²

- General Counsel, Office of the Governor of Missouri
- Missouri Assistant Attorney General
- Assistant Prosecuting Attorney, Warren County Prosecuting Attorney’s Office
- General Counsel, Missouri Department of Corrections
- United States Army
- University of Missouri-Columbia, B.A., University of Missouri School of Law, J.D. 2009–2013

PRIORITIES:¹¹³

- **Oppose Federal Overreach:** As attorney general, Mr. Bailey said he would continue to support former General Schmitt’s lawsuit against the Biden administration on college debt forgiveness.¹¹⁴ He called the college debt forgiveness lawsuit an “important suit” and expressed gratitude that the Supreme Court granted cert.¹¹⁵
- **Restore Integrity:** Mr. Bailey said he wants integrity restored in the office of attorney general and that he will “stand up and fight for the constitutional rights of the people of Missouri.”¹¹⁶
- **Protect Children and Support Parental Choice:** Mr. Bailey will also take on over a dozen lawsuits filed by previous Attorney General Schmitt related to mask mandates during the COVID pandemic.¹¹⁷ He called protecting children a top priority and intends to address critical race theory in schools and ensure that “parents have a voice in the process [of educating their children] and that it’s about education not indoctrination.”¹¹⁸



Nebraska | Mike Hilgers (R)

<https://www.mikehilgers.com/>

State House Speaker Mike Hilgers (R) was elected with a 70% to 30% majority.¹¹⁹ Mr. Hilgers defeated Legal Marijuana Now Party candidate, Larry Bolinger (a Democratic candidate did not run for the seat). Outgoing two-term AG Doug Peterson (R) did not seek reelection in 2022.

Mr. Hilgers is an attorney and founder of the law firm Hilgers Braben. Mr. Hilgers served in the Nebraska Legislature from 2017 to 2022. In this role, he has served as the Rules Chairman, the Chair of the Executive Board, and was elected the Speaker of the Nebraska Legislature in 2021.

During the campaign, Mr. Hilger’s pledged to “fight federal overreach,” “protect the Constitution,” “stand with law enforcement,” “defend innocent life,” and “keep communities safe.”¹²⁰

BACKGROUND:¹²¹

- Speaker of the Nebraska Legislature, 2021–Present
- State Senator, Nebraska, 2016–Present
- Founder, Hilgers Graben PLLC, 2016–Present
- Co-Founder, Gober Hilgers PLLC, 2011–2015
- Attorney, Fish & Richardson P.C. 2005–2010
- Law Clerk, Hon. Edith Brown Clement, U.S. Court of Appeals for 5th Circuit, 2004–2005
- Baylor University, B.S., 2001, University of Chicago Law School, J.D., 2004

PRIORITIES:¹²²

- **Fight Federal Overreach:** Mr. Hilgers plans to continue to fight against the federal government “either stretching its regulatory, statutory or constitutional authority to try to dictate to states like Nebraska or Nebraska families or companies, how we ought to operate.”¹²³
- **Support Law Enforcement:** Mr. Hilgers has said one of the issues in Nebraska is the “erosion of support for law enforcement.”¹²⁴ He wants to focus on providing prosecutorial resources to smaller communities, so they have what they need to go after child abuse cases and human trafficking.¹²⁵
- **Address Prison Overcrowding:** Mr. Hilgers said he wants to look into the data to understand what is causing overcrowding in prisons and develop policy proposals to alleviate some of those causes.¹²⁶



New Mexico | Raúl Torrez (D)

<https://www.raultorrez.com/>

Bernalillo County District Attorney Raul Torrez (D) was elected 55% to 45% majority, defeating Marine Corps veteran Jeremy Gay (R).¹²⁷ Outgoing two-term AG Hector Balderas (D) was term limited.

Mr. Torrez served as Bernalillo County District Attorney since 2020. He previously worked as an assistant district attorney and assistant attorney general for the U.S. Department of Justice. Prior to this role, Mr. Torrez was appointed to serve as a White House Fellow by President Barack Obama and served as a senior advisor to the Department of Justice, where he focused on border violence, drug cartels, and violent crime and domestic abuse in Indian Country.

During the campaign, Mr. Torrez advocated for “common sense gun safety laws” and pledged to improve the rape kit backlog.¹²⁸ As attorney general, Mr. Torrez plans a “dramatic expansion of the litigation capacity of the attorney general’s office,” which includes more resources for consumer protection and other investigative and litigious capacities.¹²⁹

BACKGROUND:¹³⁰

- District Attorney, Bernalillo County District Attorney’s Office, 2017–Present
- Managing Partner, Torrez Law & Strategy, LLC, 2013–2017
- Assistant United States Attorney, U.S. Department of Justice, 2011–2013
- White House Fellow, U.S. Department of Justice, 2009–2010
- Special Assistant United States Attorney, U.S. Department of Justice, 2008–2009
- Assistant Attorney General, New Mexico, 2006–2009
- Assistant District Attorney, 13th Judicial District of New Mexico, 2005–2006

PRIORITIES:¹³¹

- **Expand Litigation Capacity:** During the campaign, Mr. Torrez pledged to expand the AG’s litigation capacity by pushing for increased funding to hire more experienced attorneys. “It’s time for the size and scale of the agency to match what I think New Mexicans expect from the top legal officer in the state,” Mr. Torrez said. “Over the last several years we’ve become fairly reliant on outside counsel to drive and determine which cases are brought on behalf of the state, in part because we don’t have adequate resources inside the office to really tackle the authorities and, frankly, the challenges that we’ve identified over the last 20 or 30 years.”¹³² He also intends to significantly expand both the Missing and Murdered Indigenous Women and Relatives program.¹³³
- **Improve the Rape-Kit Backlog:** Tackling the rape kit backlog has been a major priority for Mr. Torrez dating back to his time as Bernalillo County District Attorney.¹³⁴ As District Attorney, he implemented Project Predator to focus on prosecuting backlog cases and clear the rape kit backlog. He can be expected to implement a similar justice plan as attorney general.¹³⁵
- **Reduce Crime:** Mr. Torrez intends to implement new technologies and strategies to combat violent crime, prioritize alternatives to incarceration for non-violent offenders, and focus on prosecuting the most violent crimes, child abuse, and fraud.¹³⁶



North Dakota | Drew Wrigley (R)

<https://drewwrigley.com/>

Interim AG Drew Wrigley (R), a former U.S. Attorney and Lieutenant Governor, was elected with a 71% to 29% majority.¹³⁷ Mr. Wrigley defeated attorney Timothy Lamb (D). Wrigley was nominated by Governor Burgum to serve out the remainder of the term of AG Wayne Stenehjem (R), who unexpectedly passed away at the beginning of 2022.

Prior to his appointment as Interim AG, Mr. Wrigley served as North Dakota's U.S. Attorney from 2019 to 2022. He is the first North Dakotan to serve this position twice after previously working as North Dakota's U.S. Attorney from 2001 to 2009. As North Dakota's U.S. Attorney, Mr. Wrigley focused on combatting violent crime, large-scale narcotics trafficking, illegal immigration, financial fraud, and investigations of Internet crimes against children. Mr. Wrigley also served as Nebraska's Lieutenant Governor from 2010 to 2016.

During the campaign, Mr. Wrigley pledged to be tough on violent crime and strengthen the state's crime lab.¹³⁸ He also stated that he believes harsher sentences will discourage violent crime and can be expected to implement tougher prison sentences to address recent crime spikes.¹³⁹

BACKGROUND:¹⁴⁰

- Attorney General, North Dakota, 2022–Present
- U.S. Attorney, North Dakota, 2019–2022
- Senior Advisory, Sanford Health, 2017–2019
- Lieutenant Governor, North Dakota, 2010–2016
- U.S. Attorney, North Dakota, 2001–2009
- Attorney General's Advisory Committee, North Dakota, 2004–2009

PRIORITIES:¹⁴¹

- **Tough on Violent Crime:** Mr. Wrigley pledged to put together a package of new laws targeting violent crimes in which a gun was illegally used.¹⁴² This plan is expected to include automatic mandatory sentencing and longer sentences for any criminals who flee and spark police chases.¹⁴³ Mr. Wrigley intends to pitch these new sentencing guidelines to lawmakers during the next legislative session.¹⁴⁴
- **Improve the State Crime Lab:** Mr. Wrigley intends to ask the North Dakota Legislature to boost his agency's budget to expand the state crime lab and hire more officers to work with the federal law enforcement on American Indian reservations.¹⁴⁵
- **Hire Additional Staff for the State Bureau of Criminal Investigation:** Mr. Wrigley intends to ask the North Dakota Legislature for at least three new Bureau of Criminal Investigation officers to investigate crimes on tribal land.¹⁴⁶



Oklahoma | Gentner Drummond (R)

<https://drummondok.com/>

Attorney and decorated Air Force Captain Gentner Drummond (R) was elected with a 74% to 26% majority, defeating Army National Guard veteran Lynda Steele (L).¹⁴⁷ Drummond successfully challenged outgoing AG John O'Connor in the Republican primary. AG O'Connor was appointed by Governor Kevin Stitt in 2021, after former AG Mike Hunter (R) resigned during his first term.

Mr. Drummond is a highly decorated Air Force captain who took part in Operation Desert Storm and earned a Distinguished Flying Cross, three Air Medals, and four Aerial Achievement Medals for his service.¹⁴⁸ Mr. Drummond previously ran for attorney general in 2018 but lost to Mike Hunter in a runoff election by 271 votes.¹⁴⁹

Following his military service, Mr. Drummond became a practicing banking law attorney and businessman. He currently owns and operates a large cattle ranch operation in Nebraska. His holdings include Blue Sky Bank, Drummond Law Firm, and Drummond Communications.

During the campaign, Mr. Drummond pledged to be independent of the governor's office and investigate corruption.¹⁵⁰ He also intends to crack down on illegal drugs including cracking down on illegal medical marijuana operations in the state.¹⁵¹

BACKGROUND:¹⁵²

- Principal Shareholder & Director, Blue Sky Bank, 2003–Present
- Member & Senior Attorney, The Drummond Law Firm, 1998–Present
- F15C Fighter Pilot, Mission Commander, Instructor, United States Air Force, 1984–1992
- Oklahoma State University, B.S., 1984, Georgetown University Law Center, J.D., 1995

PRIORITIES:

- **Crackdown on Illegal Drugs:** Mr. Drummond intends to focus on illegal medical marijuana grow operations. He also plans to form a task force to tackle the state's opioid crisis and openly prosecute opioid drug manufacturers.¹⁵³
- **Protect Us Against Federal Government Overreach:** Mr. Drummond has pledged to engage in litigation when he sees federal government overreach.¹⁵⁴
- **Clear the Rape Kit Backlog:** Mr. Drummond intends to address the status of Oklahoma's untested rape kits and address recommendations on rape kit reform.¹⁵⁵



South Dakota | Marty Jackley R

<https://martyjackley.com/>

Former AG and U.S. Attorney Marty J. Jackley (R) won after running unopposed in the general election. Outgoing AG Mark Vargo (R) served out the remainder of the term of Attorney General Jason Ravnsborg (R), who was impeached and removed from office on June 21, 2022.

Mr. Jackley is an attorney and politician who served as South Dakota's Attorney General from 2009 to 2019. He previously served as South Dakota's United States Attorney from 2006 to 2009. In 2018, he ran unsuccessfully for Governor of South Dakota, losing to Governor Kristi Noem.¹⁵⁶

From 1995 through 1997, Jackley served as a judicial law clerk for the then-former Chief Judge Richard Battey of the United States District Court for the District of South Dakota. Jackley then joined the Rapid City law firm of Gunderson, Palmer, Nelson, and Ashmore. As a partner in the law firm, Mr. Jackley's practice areas focused on construction & engineering law and real property disputes. At that time, he also served as a Special Assistant Attorney General for South Dakota prosecuting controlled substance felonies.

BACKGROUND:¹⁵⁷

- Partner, Gunderson, Palmer, Nelson & Ashmore, LLP, 2019–Present
- Attorney General, South Dakota Attorney General's Office, 2009–2019
- United States Attorney, South Dakota United States Attorney's Office, 2006–2009
- Partner, Gunderson, Palmer, Nelson & Ashmore, LLP, 1997–2006
- South Dakota Mines, BSEE, 1992, University of South Dakota Knudson School of Law, J.D., 1995

PRIORITIES:¹⁵⁸

- **Fight the Growing Drug Problem:** Mr. Jackley intends to place an emphasis on violent crime, including a stronger focus on addressing methamphetamine issues through prevention, a focus on treatment, as well as being tougher on drug dealers.¹⁵⁹ During the campaign, he pledged to hold accountable “[t]hose that are bringing [sic] poison into our state.”¹⁶⁰
- **Protect Innocent Life:** Mr. Jackley intends to make performing an abortion a class six felony, punishable up to two years.¹⁶¹ Mr. Jackley also said he anticipated potential statutory changes with the health and life of the mother and the other exceptions such as incest and rape at the next legislative session.¹⁶²



Vermont | Charity Clark (D)

<https://www.charityforvermont.com/>

Charity Clark (D) was elected by a 61% to 33% majority, defeating businessman H. Brooke Paige (R).¹⁶³ Clark previously served as Assistant Attorney General and Chief of Staff to former AG T.J. Donovan (D), who stepped down on June 20, 2022, to pursue an opportunity in the private sector. Outgoing AG Susanne R. Young (R) was appointed to complete the remainder of General Donovan’s term and did not seek election to the office.

Ms. Clark’s campaign focused on criminal justice reform, including a pledge to invest more resources into data collection of racial disparities in sentencing.¹⁶⁴ She also pledged to make Vermont a “safe harbor” for people seeking abortion following the Supreme Court’s decision to overturn *Roe v. Wade* in June 2021.¹⁶⁵

BACKGROUND:¹⁶⁶

- Attorney General-Elect, 2022–Present
- Chief of Staff, Vermont Attorney General’s Office, 2018–2022
- Assistant Attorney General, Vermont Attorney General’s Office, 2014–2018
- Associate, Orrick, Herrington & Sutcliffe, 2008–2014
- Associate, Downs Rachlin Martin PLLC, 2005–2008

PRIORITIES:¹⁶⁷

- **Fight for Small Businesses and Consumers:** Ms. Clark intends to focus on preventing scams, fighting illegal robocalls, and addressing the emerging challenge of cryptocurrency.¹⁶⁸
- **Protect the Environment:** Ms. Clark said she plans to use creative solutions to address climate change and has pledged to safeguard Vermont’s beautiful forests, lakes, and streams.¹⁶⁹
- **Prioritize Public Safety and Criminal Justice Reform:** Among her primary focuses will be prosecuting child pornography, which constitutes more than half of all criminal cases in the Attorney General’s Office. Ms. Clark said she will ensure her team has the resources necessary to protect children.¹⁷⁰
- **Address Violence Against Women:** Ms. Clark intends to implement recommendations made by the Domestic Violence Fatality Review Commission, housed at the Attorney General’s Office. She also plans to pass a statute permitting judges to remove firearms from domestic abusers and making sure that victims of domestic violence are provided a safe escort if they need to return to the home.¹⁷¹



Washington, D.C. | Brian Schwalb (D)

<https://brianfordc.com/>

Brian Schwalb (D), partner-in-charge of Venable’s Washington, D.C. office won after running unopposed in the general election. Outgoing two-term AG Karl Racine (D) did not seek reelection.¹⁷²

Mr. Schwalb is an experienced trial lawyer and civil litigator who has served as Venable’s firm-wide Vice Chairman and Partner-in-Charge of Venable’s D.C. office since 2005. Prior to joining Venable, Mr. Schwalb worked as a trial attorney in the U.S. Department of Justice’s Tax Division.¹⁷³

As attorney general, Mr. Schwalb pledged a commitment to community policing, address the root causes of crime, improve violence prevention, and reduce the availability of illegal guns.¹⁷⁴

BACKGROUND:¹⁷⁵

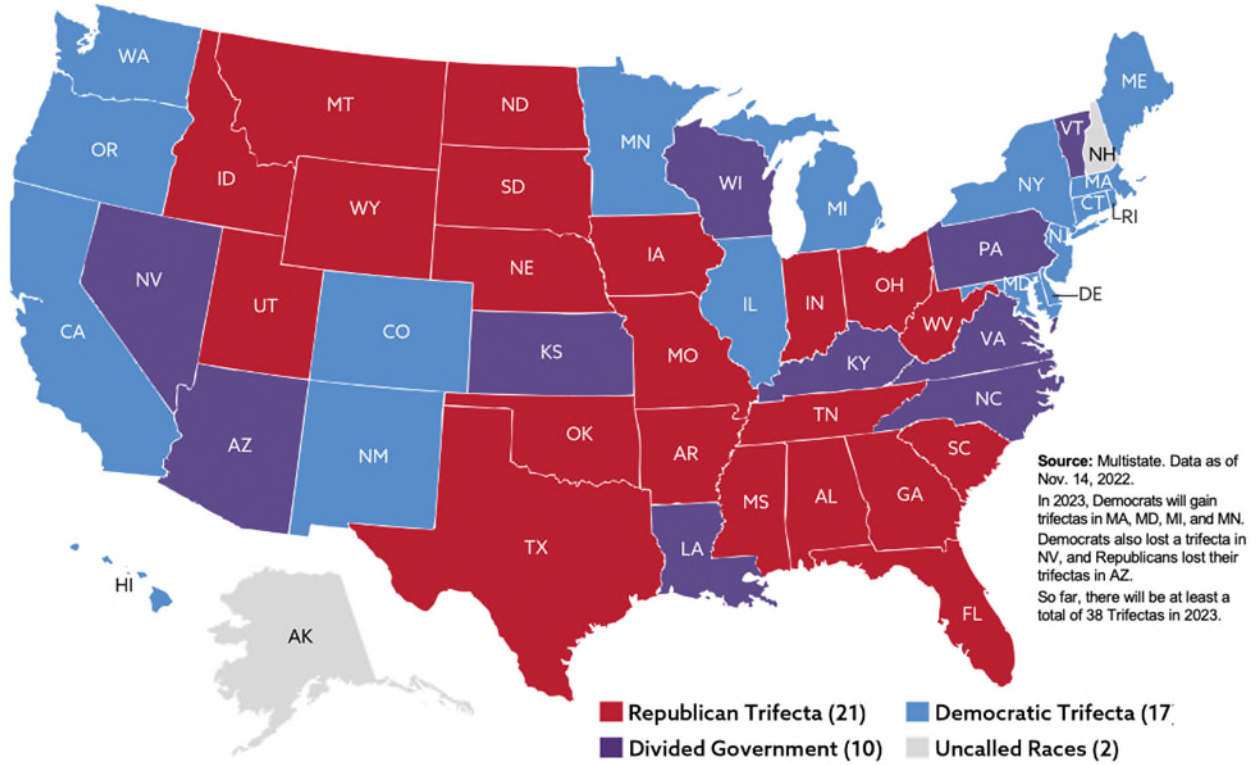
- Advisory Board Member, Conscious Capitalism, 2019–Present
- Partner-in-Charge, Venable LLP, 2005–Present
- Partner, Schwalb, Donnenfeld & Schwalb, 1999–2005
- Trial Attorney, U.S. Department of Justice, Tax Division, 1994–1998
- Law Clerk, U.S. District Court for the District of Maryland, 1992–1994

PRIORITIES:¹⁷⁶

- **Enhancing Public Safety:** Mr. Schwalb said he plans to work in close coordination with the U.S. Attorney’s Office for the District of Columbia, local law enforcement agencies in Maryland and Virginia, and district agencies to ensure transparent and effective sharing of information to assist with the lawful arrest and prosecution of adults who commit felonies.¹⁷⁷
- **Protect Consumers:** Mr. Schwalb plans to prioritize defending residents against slumlords, predatory lenders, scam artists, and others who engage in deceptive or abusive acts that cause significant financial harm to consumers and that erode consumer confidence.¹⁷⁸
- **Advocate for DC Statehood:** Mr. Schwalb pledged to maximize the autonomy of the District of Columbia under the Home Rule Act of 1973 and expand the number of meaningful decisions from our city’s elected officials.¹⁷⁹

Exhibits: 2022 Post-Election Partisan Breakdown

Exhibit 1: Trifectas | 2022 Post-Election Partisan Breakdown



Source: <https://www.multistate.us/issues/2022-elections-trifectas>

Exhibits: Multistate Lawsuits

Exhibit 2: Number of Multistate cases by Presidential Administration

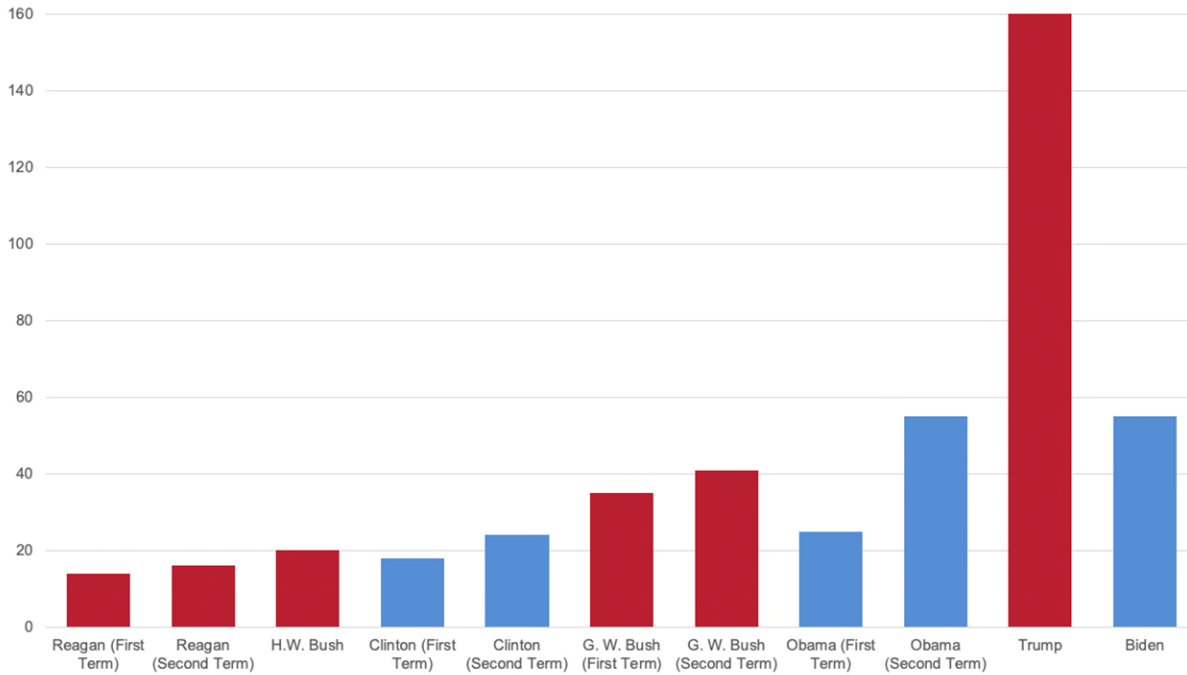


Exhibit 3: Number of Multistate Cases by Industry

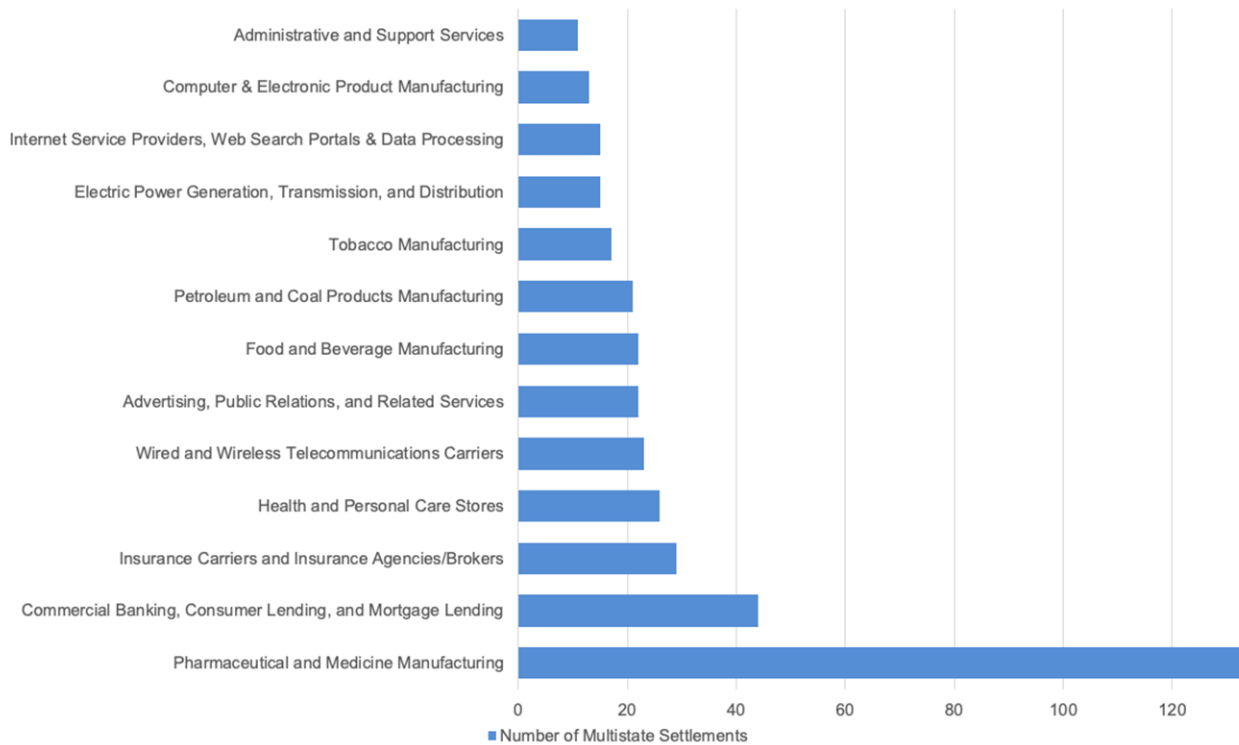
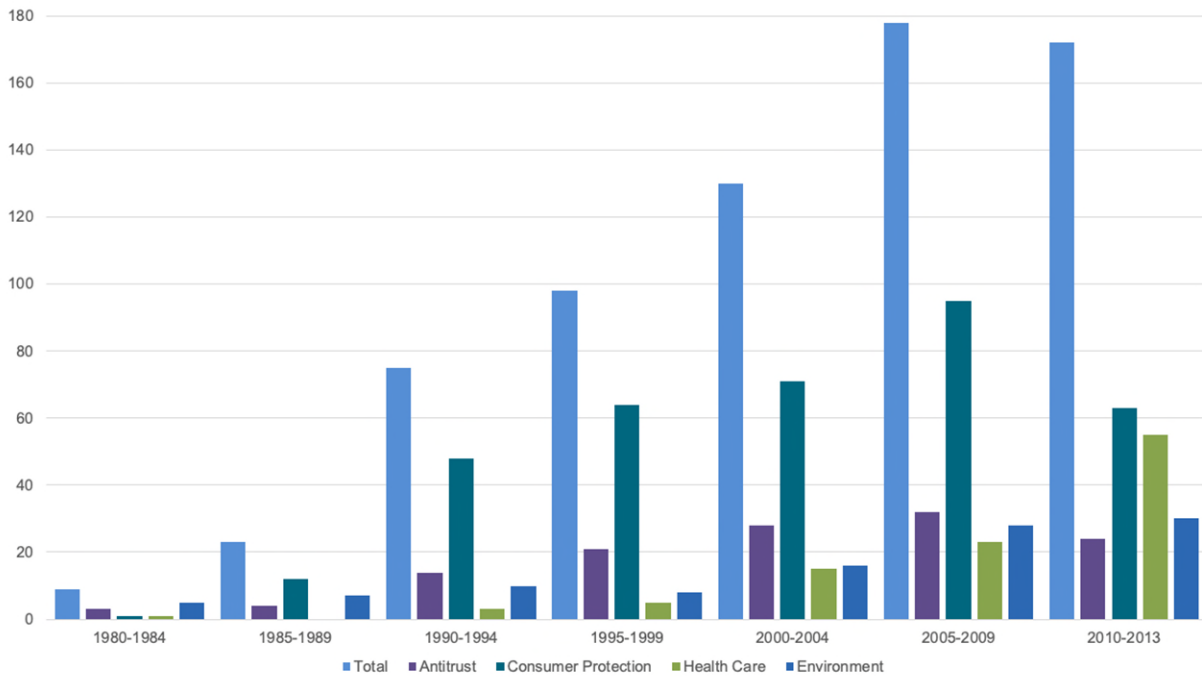


Exhibit 4: Multistate AG investigations by category



Exhibits: Amicus Briefs

Exhibit 5: Amicus participation by issue

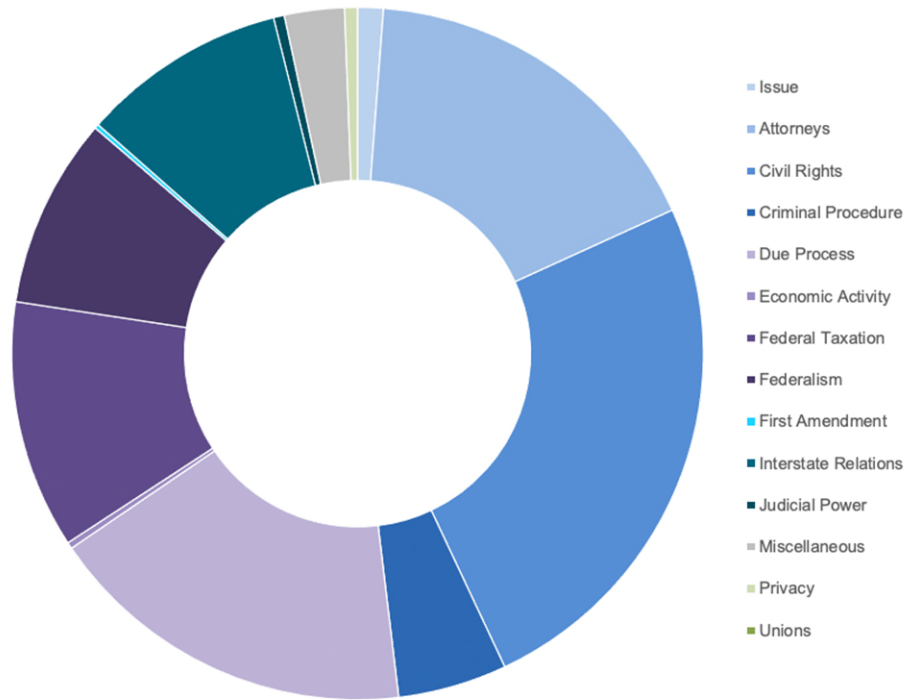


Exhibit 6: Amicus participation by Policy Area

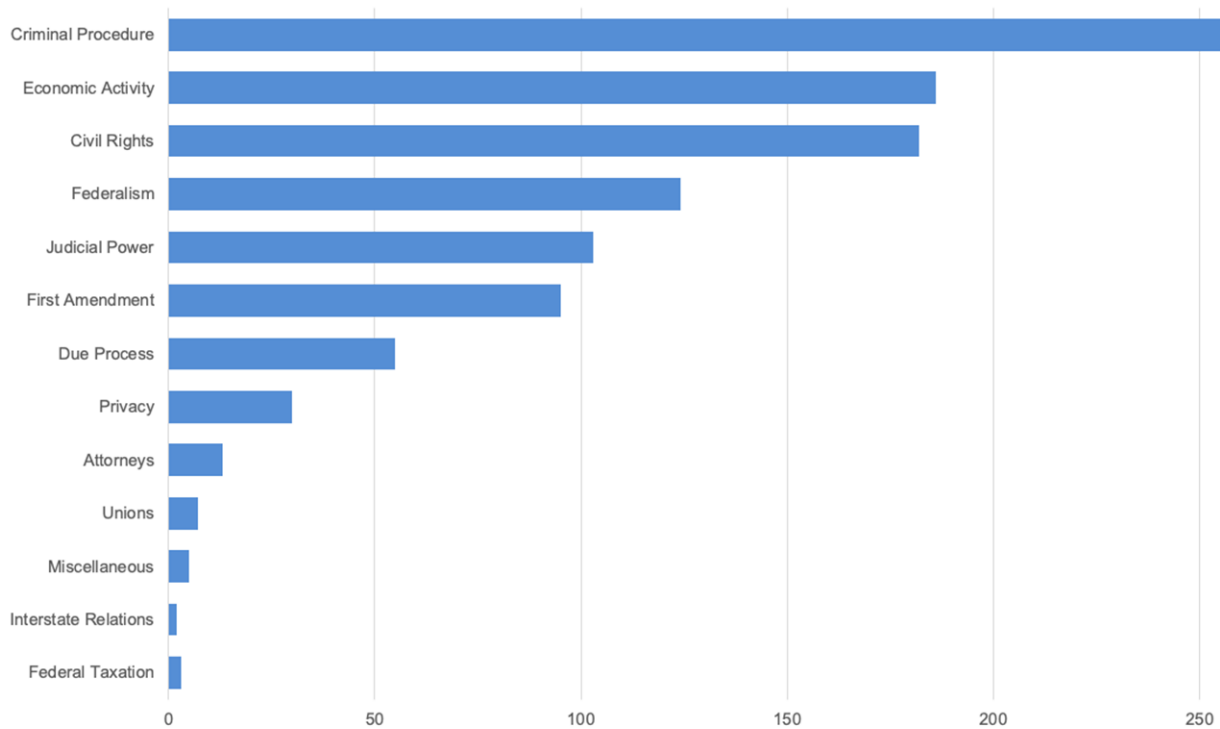


Exhibit 7: State AG Amicus Briefs

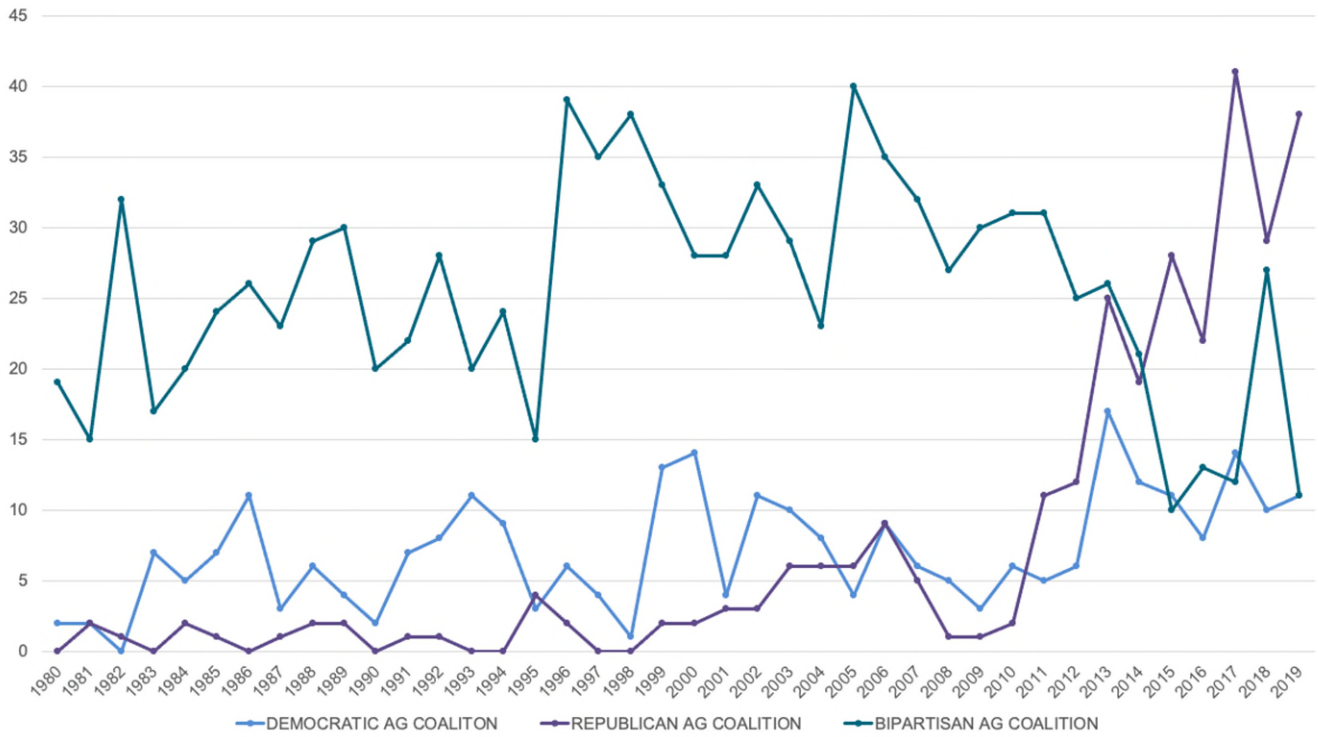
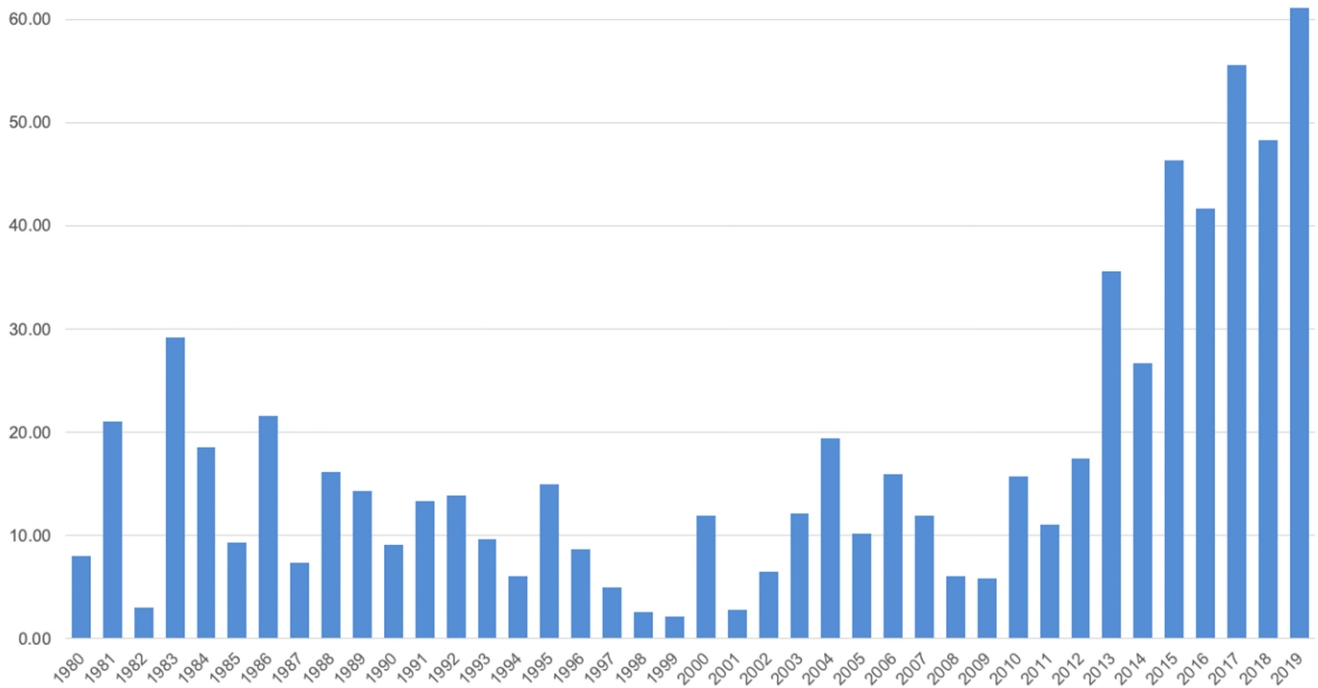


Exhibit 8: Amicus Filings by State AGs



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