

Regulatory Oversight* Podcast — The People's Protector: A Conversation With AG Jason Miyares*Host: Stephen Piepgrass****Guest Host: Chuck Slemp****Guest: Jason Miyares****Aired: March 12, 2025****Stephen Piepgrass:**

Welcome to another episode of *Regulatory Oversight*, a podcast that focuses on providing expert perspective on trends that drive regulatory enforcement activity. I'm Stephen Piepgrass, one of the hosts of the podcast and the leader of our firm's Regulatory Investigation Strategy and Enforcement Practice Group. Our podcast features insights from members of our practice group, including its nationally ranked state attorneys general practice, as well as guest commentary from business leaders, regulatory experts, and current and former government officials. We cover a wide range of topics affecting businesses operating in highly regulated areas.

Before we get started today, I want to remind all of our listeners to visit and subscribe to our blog at [RegulatoryOversight.com](https://www.regulatoryoversight.com), so you can stay up to date on developments and changes in the regulatory landscape.

Today, my colleague Chuck Slemp is joined by Virginia Attorney General, Jason Miyares, to discuss General Miyares's personal and professional background and his role as the people's protector. Chuck and Jason will cover the Attorney General's accomplishments over the past three years, along with his current and planned initiatives.

Also, by way of introduction, Chuck is a member of our Regulatory Investigation Strategy and Enforcement Practice Group and former chief deputy in the Virginia Attorney General's office. General Miyares was elected as the 48th Attorney General of Virginia in November of 2021, becoming Virginia's first Latino Attorney General. Since his inauguration, Miyares has been focusing on fighting violent crime and improving public safety, strengthening economic growth, combating the deadly impact of opioids and fentanyl, and of course, consumer protection issues.

General Miyares ran for Attorney General after serving three terms as a state delegate in the Virginia House of Delegates for District 82 representing Virginia Beach, where he was also the first Cuban-American elected to the General Assembly. General Miyares and Chuck, I want to thank both of you for joining me today. I know we're all very much looking forward to hearing your insights into public service and the Virginia Attorney General's office.

[INTERVIEW]

Chuck Slempp:

Thank you so much, Stephen, for that introduction and welcome to the *Regulatory Oversight* Podcast. I'm Chuck Slempp, counsel here at Troutman Pepper Locke, and I am thrilled to be joined by my good friend and former boss, Attorney General Jason Miyares. General Miyares, welcome to the podcast. I'm looking forward to our conversation.

Jason Miyares:

Great to be with you, Chuck. Thanks so much for having me.

Chuck Slempp:

Now, before we jump in, I think to be fully transparent with our audience, Jason, you and I have known each other for 20 years or more. Way back before you asked me to move to Richmond and serve as your chief deputy in the office, we worked together at the Attorney General's office here in Richmond. At the same time, way back when Attorney General Kilgore was AG, I was the driver and you were an intern.

Jason Miyares:

That's right. I guess you try and make sure your audience knows this may be a slightly biased interviewer. But yes, we've known each other for a long, long time, and that was a great, great memory interning in the Attorney General's office, when I was a law student in William & Mary. I, to this day, have a lot of interest in our own intern program. It's something I take a lot of pride in, because I was once them. I always have a great joy being able to speak to the summer interns and talk to them about what they've not just learned in school, but the practical things they learned being an intern in the office that they just can't get in law school. It's a great joy.

Chuck Slempp:

I love that and I love your interest in the internship program. I know that's something that you put a lot of time in, investing in these young folks and the future of our legal profession. I know that you would tell the story about coming into the AG's office and finding maybe some of your work.

Jason Miyares:

Yeah, yeah, yeah. I remember probably, first week in the office, one of the attorneys was taking a job in DC and leaving the office, and I'd stopped by her office to thank her for her service of the Commonwealth and wish her the absolute best. She said, "I'm so glad you stopped by." I was cleaning out the file cabinet here. You're not going to believe what I found. It was a memorandum, research memorandum dated to June of 2003 to Deputy Solicitor General, Maureen Mattson from Jason Miyares' intern. It's all marked up in red, because that's the best way to learn, right?

I have kept that memo. It's a treasure. Pointed out to our interns that the best way you learn in life is from people willing to teach you and from your mistakes, particularly as a aspiring lawyer. I use it as an illustration that always be willing to take constructive criticism well and how to do your legal profession and your legal writing more effectively. Yeah, that's a great delight. Little cringe worthy to see. I think as any lawyer looking back at maybe how they were as their first year, but also it was a great testimony to how far it comes. It was a joy.

Chuck Slemp:

I love that story. I love when you share that with the incoming interns.

Jason Miyares:

Yeah, I hold it up. I don't pass it around, because I'm too embarrassed by how many red markings are on. Yeah, but I do show it to them and hold it up as an example. It's a lot of fun. They get a kick out of it.

Chuck Slemp:

Knowing you all of these years from the early days of your career as an intern to your work as a prosecutor in the Virginia Beach Commonwealth's Attorney's office to multiple terms in the General Assembly, and now as Attorney General, I can share some behind-the-scenes stories.

Jason Miyares:

I'm auditioning AG's opinion that would preclude my deputy from sharing. But yeah, a lot of good memories, Chuck. A lot of great memories.

Chuck Slemp:

Indeed. Well, I'll spare the story. But what I will say, for our audience is knowing General Miyares, he is a passionate and effective advocate for Virginians. He's been a dedicated public servant and approaches his work at the OAG as the people's protector. That's a phrase, Jason, that I've heard you describe a lot, used to describe your work a lot.

Jason Miyares:

Yeah, Chuck. I mean, I think it encapsulates a little bit of what I think the role of the office is. The Attorney General's office is really unique compared to almost any other public service office. It's this intersection of law and policy. The reality is, at least in Virginia's case, whether you're a prosecutor in the major crimes division, or you're an attorney in the consumer protection division, or a litigator, or you're in the solicitor shop dealing with the federal government, or federal overreach, or you're in the environmental law or civil rights section. Whatever section you're in, if you work for me, that is the mindset that I've asked to give you yourself as the people's protector. Because I think you could do things in the Attorney General's office as a public servant that you really can't do many other places. It's awe-inspiring also that you do

have a lot of power, not just to correct wrongs, but to call balls as strikes and make sure our laws are enforced equally. It's a great high owner.

Chuck Slemp:

Well, and as your former chief deputy, I know it's true. That's how you view the office, and that's how you approach your workday by day. For as long as I've known you, you've worked in government to try to make it better and be a voice for victims and promote public safety and strength in Virginia's pro-business environment for consumers. You don't even pay me to say that anymore.

Your dedication to public service, I think, though, is deeply rooted in your personal story, which I think our listeners would find incredibly inspiring. Your mother's escape from communist Cuba, penniless, and homeless is a powerful narrative. Can you describe what that means to you and how that impacts the work that you do, not just for Virginians, but for all Americans?

Jason Miyares:

Well, I mean, I think it is a big reason why I became a lawyer. It definitely has shaped my worldview on how I view this country. I like to say, America is a nation of second chances. It's given more second chances to more people with different backgrounds, race, colors, creeds, faiths, than any country that has ever existed in the history of the world. That gives you a unique perspective. It's what I call the American miracle. It is unique, the opportunities.

Yeah, my mother got an airplane in Havana, Cuba at age 19. What she did, she had nothing. She was homeless and penniless. The fall of 1965, that's when she got on that plane, had lived for several years under the horrors of Castro's communist dictatorship and made her way eventually in the United States to seek a better life. Then almost 50 years of the day that she left, she was able to go into a voting booth and was able to vote for me to represent her and the oldest democracy in the Western Hemisphere, the Virginia General Assembly back in the fall of 2015. That is the American miracle.

I'm not saying what my experience is unique. In a sense, it's actually not. That's part of why it is miraculous. Time and time again, you've seen those that have fled horrific autocratic regimes, or oppression in their home country. They have immigrated to the United States legally, and they have been able to see their children achieve what they themselves never could. That is really a beautiful thing about our country. As far as the law goes, I remember early as a child meeting, talking with my uncle, Angel Miyares, who was describing his experience being arrested, who was arrested the middle of night at the Bay of Pigs invasion, Castro arrested anybody that he thought could rise up against him. He was on an enemy watch list for the horrific crime of he didn't want to join a communist militia, and he had handed out anti-Castro leaflets in Havana.

He put them on a watch list and they showed up in the middle of night, took them away, in front of my mother, his sister, who was hysterical, seeing her brother taken away with a gun to his head. Then he was taken to an empty baseball stadium where he went through a mock execution. My mother and her mother did not know where Angel Miyares was for several days. They thought maybe he was dead. He eventually did get released. At that point, they realized they need to get out.

I remember Tim telling me these stories and saying, "How in the world could this happen?" I remember, I was a young kid. Even then, you'd watch enough so-called cop and robber shows. Oh, you get arrested, you get read your rights, you go to court, you could have an attorney. How in the world were they able to just take you? He said, "Well, you don't understand that, because you're here in America. Our laws are different here." That actually is what got me interested in the path of going into law.

As I recognize, even as a young age, there is something very, very different about what we have here. Very, very unique. That definitely colored me to wanting to go and eventually go and study the law in the United States and how precious it is.

Chuck Slemp:

Thank you for sharing that, Jason. Your story, I think, is a testament to the American dream. You made history as the first Hispanic elected to Attorney General in Virginia and the first child of an immigrant to also hold that office. Historic achievement. It's influenced your vision and I believe, your public service here to Virginia. I hear you talk about the American miracle all the time in your speeches. Can you elaborate a little bit more on that?

Jason Miyares:

Well, it's something in particular when I talk to young people, I tell them that gratitude is the most underrated in human traits. Gratitude is the ugliest, but gratitude is the most underrated. I was raised to just have incredible gratitude. If you think about it, Chuck, less than 1% of every human being that has ever lived on this planet got to cast a ballot to help determine who their leaders were. We as Americans, we think, well, of course, that's the way it should be. If you live in a country, you should be able to decide who your leaders are at the ballot box. No, that's unique. Of course, we expect that as Americans. That's the way it should be. But that's not normal in most of the world. That's not normal throughout most of human history.

That the way we live our lives is less than 1% compared to every human being that has ever lived. 99% of the human beings ever walked on this planet didn't have freedom of speech, or freedom of religion, or the ability of casting a ballot. That should give all of us a little bit of pause, A, with a sense of gratitude, but also a sense of what we've done here. I mean, the United States Constitution is the first written Constitution in all of human history that has actually puts limits on what government can do to you as an individual.

The Bill of Rights overwhelmingly says, that government cannot take certain rights from you, no matter what. Whenever I speak to college students, I point out, you're only one. Even United Kingdom, which obviously, we get a lot of our English common law and history and tradition from. Technically, in the United Kingdom, you're just one active parliament away from having your freedom of speech taken from you. That is something remarkable. It's something for us to recognize.

A big reason why my mother came here, she fled, she'd been originally went from Cuba to Spain and then came to the United States. Culturally, Spain was a much better fit for her, obviously, but she had this overwhelming desire to live in a country that recognizes she had certain rights that couldn't be taken away from her by government after saying it taken away

from you. I think it is why so many of those that have similar to my mother have such appreciation for what America has given them and the protections we have under the law and under our constitution.

Chuck Slemph:

How has that view of the American miracle and the successes that you've seen happen through perseverance and diligence translated into policy proposals? I'm thinking, your anti-Semitism task force and maybe your work against human trafficking.

Jason Miyares:

I've said before that no Virginians should ever be looking over their shoulder in fear, right? That's a tough thing. When you hear stories of your family members that were worried, particularly after what happened to my uncle that every time they would go out, harm could go to them, or every time they would go out, they may not return home, right? How that is pervasive. It's like a weight. It's like a weight on your shoulder. It's a weight in the shoulder as a parent, because you're worried, your loved one may not be returning, because Castro's police could snatch them again. It's the weight on the individual that you have this anxiety. You're constantly looking over your shoulder. You're looking around every corner. The freedom from fear, I think, it's an important part of that.

Whether it's combating anti-Semitism, what we have seen on some of our college campuses, I've said that what happened on October 7th in Israel, not just was horrific, but I think it's the moral test of our time, the reaction to it. I think, sadly, there's been a lot of moral confusion when we need moral clarity. Working with our college campuses and our campus police to make sure that our Jewish students feel protected when they're going to class and school. Human trafficking, the exploitation of the most vulnerable, I think of nothing more horrific than treating a human being made in the image of their creator is nothing but a commodity, whether it's for sex, or for labor, and to essentially, treat them like it's modern-day slavery. I think it's horrific, so human trafficking.

Just financial exploitation of the vulnerable or seniors. I don't want any Virginian living in fear. I think that goes back to our mission of being the people's protector, making sure that that happens and that people feel secure during the Commonwealth.

Chuck Slemph:

When you talk about that people's protector role, I think the first thing that jumps out in my mind is the impressive work that you've done that I was fortunate to be able to do with you a little bit. That's the work, the secure settlements in the opioid space, and also to highlight the dangers of fentanyl.

Jason Miyares:

Fentanyl is a scourge that has impacted every community, rural, suburban or urban. Nationwide, we've seen addiction deaths unlike anything we've ever seen. It's particularly hit

young people hard, because a lot of them have bad information. 70% of the counterfeit pills on the streets have fentanyl in it. A lot of what we've done, too, in this addiction crisis that we're dealing with is dealing with the opioid crisis.

Chuck, I know you're from Southwest Virginia, so I know this is really, really important to you. The reality is about 20 to 25 years ago, some of the largest pharmaceutical companies in the world treated Virginia like we were a chemistry test. They went down the Southwest Virginia, they went to the coal fields, one of these small towns, and they were pushing this "wonder pill" for pain, for work related injuries and sports related injuries. They were telling the medical providers that this wasn't addicting. "Don't worry, this is a wonder pill for pain and it's not addicting. It's called OxyContin." Obviously, now we know that they knew. They knew that they were pushing some of the most addictive chemicals on the planet, and they didn't care.

A lot of Virginians, a lot of Americans have started in Southwest Virginia and then it's spread. They got caught in the cycle of addiction by accident. I think one of the things I think I know you're proud of, I know I'm proud of, are these huge settlements that we've gotten for Virginia, some of the largest settlements in Virginia history. It's not money that goes to my office, it's money that goes to treatment. The Opioid Abatement Authority was set up by the governor and the general assembly, and it's been really remarkable. Just last week, my office announced that a bipartisan multi-state settlement with Purdue Pharma and the Sackler family, amounting to over 7 billion dollars. Again, that money is the treatment.

Addiction is going to look different in Galax versus Fairfax or in Wise County versus the city of Norfolk. We want to make sure the local government and these local entities are having the treatment centers and the programs that work best for their community. But make no mistake, the devastation is the same. We've tried both education, treatment, prosecution of fentanyl dealers, and the best news for us is we have seen some of the largest decrease in overdose deaths in the country over, almost close to 25% decrease. There was a lot of work to go into. We have a lot more work to do, but we've really seen some incredible work reducing overdose deaths in Virginia. One pill can kill, and a host of other initiatives. We're really proud of that work.

Chuck Slemp:

Well, the one pill can kill campaign has been really, really impressive. Living here in Virginia, I get to see your ads on TV, your public services announcements. It's very, very good to see your former boss on TV talking about something important.

Jason Miyares:

You can't get rid of me no matter what you do, Chuck.

Chuck Slemp:

I know. I know. You're everywhere. You're everywhere. Can we talk about, speaking of everywhere and the huge difference made in Virginia, one program that I know that you have

championed since you came into office and continued to lead is Operation Ceasefire. What is that? What's the impact on Virginians?

Jason Miyares:

Well, when I came in, I was talking to a lot of individuals that we had unacceptable high levels of gun violence and murder. Virginia's murder rate was at a 20-year high. I first did a listening tour. I went around the state, listened to law enforcement at small groups, small meetings, and listened to them. They had a lot of frustration. They wanted to go after these repeat offenders. We built Operation Ceasefire targeting 13 cities with intervention, prevention, and prosecution. We want to do prevention. We push Virginia rules with messaging to make sure our young people are getting the right messaging, particularly not to fall into a gang lifestyle, that that's a dead-end street. You're not going to be able to chase your dreams.

A lot of us educating young people. We want to do intervention for our returning citizens, the people that have – Virginia has one of the lowest recidivism rate in the country. We talked to a lot of those that were in prison that were on the process of becoming returning citizens. They wanted to find work. We actually set up some job fairs that was available to them for them to connect with employers, whether it's goodwill, new pre-new shipbuilding, Walmart, because we want them working, so they're not in any way tempted to go back to the lifestyle of crime.

The third was prosecution. We partnered with our US Attorney's Offices. We took Assistant Attorney Generals and we embedded them with our US Attorney's Offices, prosecuting these cases, these repeat violent offenders. Because if you look at the numbers, it's estimated about 5% of felons commit over 50% of the violent felonies. If you want to lower violent crime, you have to go after these violent repeat offenders and prosecute them, which is what we've done. We have now seen after when I came in office, the murder rate at a 20-year high. We've seen a drop in the murder rate by a third. We finally have changed the trend, and that's fantastic that we've seen that trend change.

Chuck Slemp:

Well, you've made such an impact in your three-plus years as AG. Unfortunately, we're just about out of time. Before we go, I want to touch on a couple more issues. One that I know is near and dear to your heart, college sports.

Jason Miyares:

Well, yeah. It's something that's a little bit different, that I think being a people protector means also being a voice for our NCA, for our athletes that have dealt with tragically. I think an NCA that was a bit tone deaf. On name, image, and likeness, we wanted them dealing with the NCAA, and we wanted them to be able to be compensated for their talent is through NIL and sue the NCAA, I viewed it as just a freedom of contract issue. If I was a college student, if I was a computer science major and IBM wanted to hire me, or reward me for my talents while I was still a student, we would cheer them. If I was a music major at VCU and some big Hollywood producer wanted to pay me to score a movie for them, while I was still a student, we would applaud them.

It was only our college athletes, some of which had had pretty horrific injuries, and a lot of abuse to their bodies, had never been able to be properly rewarded. It came crystallized for me with a friend of mine who used to play quarterback in college said, because I had said, well, you get a free scholarship. That's something. He says, "Yeah, I calculated the value of my scholarship versus all the hours I spent in the weight room, in the film room, on the practice field, traveling to and from game day and game day, and the value of my scholarship versus the hours I put in as a student athlete was less than half of minimum wage."

That really gave me pause when you saw a lot of these schools making, I mean, the NCAA signed an 8-billion-dollar television contract to broadcast the men's basketball tournament. None of that goes to the students. We thought NIL was a way for the students. If there was a market for it to be compensated, and we had to go to court with my friend, the Attorney General of Tennessee, we're very, very grateful for the restraining order on the NCAA. We're in the midst of negotiations right now, but I look forward to representing our students against the NCAA.

Chuck Slempp:

What significant victory for college athletes and a testament to your dedication and to fairness and justice. I will say this, I know knowing you personally and hearing you speak, I think we could have probably filled up an entire podcast talking about college sports.

Jason Miyares:

I do have a passion for in sports. Yeah, I do love college sports for sure.

Chuck Slempp:

Absolutely. As we wrap up, I know many of our listeners are curious about your future plans and you recently announced that you were running for reelection. Can you share with us what motivated you to seek another term and what your key priorities will be when you are reelected this year?

Jason Miyares:

As I've noted, I view my role as being the people's protector. Three years ago, I made a promise of the people of Virginia to keep their families safe. Making that promise again. I look forward to getting around the state of the Commonwealth of Virginia and asking the voters to rehire me to serve them and to protect them. I'm so proud of the work we've done. When I came in, our murder rate was at a 20-year high. Now, it's been dropped. When I came in, we had record addictions. Now that's been – that's dropping. We've set up a senior care elder abuse center for our seniors to be able to protect them. We have record settlements on not just our MFCU unit on Medicaid fraud, but also, obviously, holding these big pharmaceutical companies accountable that have exploited Virginians to make sure that money's there for treatment.

We think we have an incredible working relationship. The good news is if you look at polling, Virginians think that Virginia's heading in the right direction. I think a lot of that is a work we've

done and keeping them safe, being the people's protector. I look forward to spending the next several months asking the voters to rehire me. This could be a great journey.

Chuck Slemp:

Well, and you've done such a great job. We did not even have time to get into any of the consumer protection cases and the voice that you are for Virginia and consumers as well. My apologies to you and to our audience. Jason, thank you so much for being here with us today. It's been such a pleasure to have you on the podcast and hearing about the important and impactful work that you're doing as Attorney General. Thank you on a personal level for letting me serve alongside you and accomplish so much together for Virginians over the last three years, before I joined Troutman. Thank you again.

Jason Miyares:

It's been a great journey, Chuck. Thanks so much for having me.

Stephen Piepgrass:

General Miyares and Chuck, thank you again for that fascinating and insightful conversation. Thank you to our audience, too, for tuning in. Remember to subscribe to this podcast through Apple Podcast, Google Play, Stitcher, or whatever platform you choose. We look forward to having you join us again next time.

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