

2022 State AG Election Round-Up — Multiple New AGs On the Block

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This election cycle has been one of multiple historic firsts, including several states seeing their first African American and female attorneys general (AG). As of publication of this round-up, 11 jurisdictions have also elected new, first-time AGs that displaced retiring or defeated incumbents. Several other races are still too close to call. Below, we cover in detail the 11 newest AGs thus far and offer our initial insights into their regulatory leanings. Ongoing and updated AG election coverage is also available on Troutman Pepper's *Regulatory Oversight* blog.

Arkansas

Republican Tim Griffin and current state lieutenant governor prevailed in the Arkansas election for AG and will take over from departing AG Leslie Rutledge (R). Griffin campaigned on a platform of economic growth, parental choice in education, and state government reform — issues that clearly connected with the state's voters. He will no doubt use his new role to continue supporting conservative positions on a variety of issues, including limits on federal overreach, law enforcement support, and crime reduction.

Griffin brings significant government experience to the AG role. He served in the U.S. House of Representatives from 2011 to 2015, including participating in several key committees. He also worked for the Bush administration from 2006 to 2007 as a U.S. attorney and special assistant to the president and deputy director of political affairs. Griffin also served as an officer in the U.S. Army Reserve Judge Advocate General's Corps for more than 25 years and currently holds the rank of colonel.

District of Columbia

Brian Schwalb was elected as the District of Columbia's next AG, after being endorsed by outgoing AG Karl Racine. Racine cited Schwalb's diverse experience and campaign priorities of pursuing enhanced legislation to protect workers who come forward with claims of wage theft and enhancing public safety as reasons driving his endorsement. Schwalb is expected to retain the same priorities and follow in Racine's footsteps; however, we will keep you informed about the continued and new initiatives emphasized by the Schwalb administration.

Schwalb is a trial attorney and partner-in-charge in Venable's Washington, D.C. office. He spent four years as a Department of Justice Tax Division trial attorney under President Bill Clinton. Racine and Schwalb share similar backgrounds. Before becoming D.C.'s first elected AG, Racine served as Venable's D.C. managing partner for six years, overlapping with Schwalb for nine of those years..

Idaho

Republican Raúl Labrador is Idaho's new AG. He ran on a platform of standing up for individual liberty, pushing back against the Biden administration by claiming that they have overreached their authority, defending Idaho's sovereignty, protecting Idaho conservative values, and keeping Idaho families safe.

This is not Labrador's first time holding political office, since he previously served as a U.S. representative for Idaho's 1st Congressional District from 2011 to 2019, becoming Idaho's first Hispanic member of Congress. After unsuccessfully running for governor of Idaho in 2018, Labrador won the election for chairman of the Idaho Republican Party, where he served as leader from 2019 to 2020. Labrador then stepped down from party leadership the following year and worked at a law firm run by state Representative Bruce Skaug (R-Nampa), specializing in immigration law.

Iowa

Brenna Bird upset Tom Miller — the longest serving U.S. AG, with nearly 40 years of experience. Bird received an endorsement from former President Donald Trump and campaigned on a platform of protecting citizens from violent crime, supporting law enforcement, and suing the Biden administration for purported federal overreach. She is also a staunch advocate for farmers' rights. Bird is expected to make significant changes to the structure of the AG's office, which has been under the consistent leadership of Miller for decades.

An Iowa native, Bird grew up on a rural farm where she was homeschooled. After law school, Bird worked for a Silicon Valley law firm. She then entered politics, working for former Republican U.S. Representative Steve King until 2010 and Governor Terry Branstad until 2015. More recently, Bird served as the county attorney for Fremont, Guthrie, and Audubon counties.

Kansas

Kansans elected Kris Kobach as their AG this year. Kobach succeeds Derek Schmidt as AG, a role held by Schmidt since 2010. As AG, Kobach is expected to be relatively business friendly and has expressed an interest in opposing the Biden administration.

Kobach previously served as the Kansas secretary of state from 2011 to 2019. He maintains an active litigation practice, and he is currently engaged in three federal lawsuits against the Biden administration. Kobach's prior work history includes his role as the U.S. Department of Justice's (DOJ) counsel to the AG, and his role as vice-chair of then-President Trump's Presidential Advisory Commission on Election Integrity. He also served as a professor at the University of Missouri, Kansas City School of Law.

Maryland

Maryland elected Anthony G. Brown as its first African American AG. He ran on a platform that included defending voting rights, legalizing cannabis, protecting reproductive rights, preventing gun violence, protecting the environment, racial justice, and criminal justice reform.

Brown was elected to the U.S. House of Representatives in 2016 where he is currently finishing his term as Maryland's 4th Congressional District representative. He previously served as a member of the Maryland House of Delegates and as Maryland's lieutenant governor from 2007 to 2015. Brown served in the Army for 30 years as a commissioned officer, earning the Bronze Star for his service in Iraq. Brown retired with the rank of colonel in 2014.

Massachusetts

Democrat Andrea Campbell was elected Massachusetts's AG after defeating Republican James McMahon, following the endorsement from outgoing AG Maura Healey, who will be the state's next governor. Campbell is the first African American woman ever elected statewide in Massachusetts and will be the third woman — and first-ever African American woman — to serve as Massachusetts' AG. She ran on a platform that included combating the opioid crisis, defending reproductive justice, fighting for environmental justice, protecting consumers, and standing up for workers.

Following law school, Campbell worked as a legal services attorney for the EdLaw Project, providing advocacy for the educational needs of high-risk Massachusetts youth. Attorney General-elect Campbell also practiced employment law at Proskauer LLP prior to serving as the general counsel for the Metropolitan Area Planning Commission. Additionally, Campbell also served as deputy legal counsel to former Democratic Governor Deval Patrick. In 2018, Campbell was elected city council president, and in 2021, ran unsuccessfully for mayor of Boston.

Michigan

On November 8, the people of Michigan re-elected Dana Nessel as the state's attorney general. Nessel has served as Michigan's attorney general since January 2019. Since taking office, she has been a champion of environmental and health issues. Her environmental protection division is actively fighting to ensure clean air, water, and energy for Michigan's residents are preserved for generations to come. She has also joined the battle to combat prescription drug addiction and to stem the tide of environmental contamination.

Nessel began her legal career as an assistant prosecutor in the Wayne County Prosecutor's Office. During her tenure as a prosecutor, she was assigned to a number of elite units within the office and handled some of Wayne County's most difficult cases in the Child & Family Abuse Bureau, Police Conduct Review team, and Auto Theft Unit. Nessel was specially assigned to try homicide, arson, criminal sexual conduct, and gang-related conspiracy cases, among many others.

After leaving the prosecutor's office, Nessel opened her own law firm in 2005. Her practice involved both criminal and civil matters, including civil rights actions for plaintiffs against police departments and government agencies. She is also recognized as one of the premier litigators of LGBTQ issues in Michigan. In 2016, she and Wayne County Prosecutor Kym L. Worthy created the Fair Michigan Justice Project, a first of its kind task force that

investigates and prosecutes hate crimes committed against the LGBTQ community.

Nessel earned her bachelor's degree from the University of Michigan and her law degree from Wayne State University.

Minnesota

On November 8, the people of Minnesota re-elected Keith Ellison as the state's attorney general. Ellison has served as Minnesota's attorney general since January 2019. Since taking office, he has been a champion of health care, campaigning on a platform of defending the Affordable Care Act and making health care more affordable for Minnesota families. He also campaigned on his promises to defend working men and women, defend women's rights, keep immigrants safe, and protect Minnesota seniors from fraud and abuse.

Prior to becoming Minnesota's attorney general, Ellison represented Minnesota's 5th Congressional District in the U.S. House of Representatives from 2007 to 2019. In that role, Ellison advocated for consumer, worker, environmental, and human rights protections for Minnesotans. He served on the House Financial Services Committee for 12 years and founded the Congressional Antitrust Caucus and the Congressional Consumer Justice Caucus. He previously served in the Minnesota House of Representatives and before that spent 16 years practicing law.

Ellison earned his bachelor's degree from Wayne State University and his law degree from the University of Minnesota.

Nebraska

Republican Mike Hilgers will be Nebraska's 33rd AG. Hilgers stated that he will prioritize the following: (1) fighting federal government overreach, (2) defending Nebraska's water rights, and (3) supporting law enforcement. During his campaign, Hilgers pointed to his record in the legislature where he increased penalties for attacks on law enforcement, defeated a bill that would have eliminated mandatory minimum sentences, and supported building a new prison. Additionally, he touted his record supporting pro-life and pro-gun right legislation, supporting voter ID laws, and lowering taxes. He promised he would continue this record if elected as Nebraska's next AG.

Born and raised in Omaha, NE, Hilgers attended the University of Chicago Law School, clerked for the Fifth Circuit, and worked at Fish & Richardson P.C. before moving back to Nebraska. He then started the law firm Hilgers Graben in Lincoln, NE and has been active in Nebraskan politics for the last decade. He ran for the AG in 2014, and in 2016, he won a state legislative seat and was elected speaker of the house in 2021.

New Mexico

Democrat Raúl Torrez won the New Mexico election, filling the open seat left by term-limited AG Hector Balderas. In doing so, Torrez keeps this historically Democratic seat blue (since 1930, only one Republican held the AG's position in New Mexico). A current district attorney, Torrez has branded himself as "smart on crime" and touted his criminal justice bona fides. He argued that he is working to implement new technologies and strategies to combat violent crime; prioritize alternatives to incarceration for nonviolent offenders; and put victims first with

compassion and new resources to help families through the most difficult times, touting his work against right-wing militias, standing up for common sense gun safety laws, tackling the rape kit backlog, and prosecuting violent crime, child abuse, and fraud.

Torrez is also a former federal prosecutor and served a senior advisor in President Obama's DOJ. For nearly a decade, Torrez acted as a prosecutor in his roles as an assistant U.S. attorney, assistant AG, and assistant district attorney, and most recently as the Bernalillo County district attorney. In 2009, President Obama appointed Torrez to serve as a White House fellow and special counsel to the deputy AG. In that role, he represented the DOJ in criminal justice issues, including efforts to reduce Southwest border violence, crack down on drug cartels, and reduce violent crime and domestic abuse in Indian Country. Before his legal career, Torrez helped a startup company dedicated to good government and served as the development officer for the César E. Chávez Foundation. He is a former American Bar Association/Young Lawyers Division scholar, a past deputy regional president of the Hispanic National Bar Association, a former treasurer for the New Mexico Hispanic Bar Association, and a past board member of the Rio Grande Community Development Corporation, a community-based, nonprofit organization established to pursue, foster, and promote economic development in Albuquerque's South Valley.

Oklahoma

With no Democratic candidate in the race, Republican Gentner Drummond easily won Oklahoma's contest for AG, handily defeating Libertarian candidate Linda Steele. Drummond defeated incumbent [John O'Connor](#) in a closely contested primary earlier this year to receive the Republican nomination. Drummond campaigned on issues, including Second Amendment rights, protection against federal government overreach, and protection of sexual assault victims. Fellow Republican South Carolina AG Alan Wilson congratulated Drummond on his victory, stating that "Gentner Drummond is governed by the rule of law and understands that that means putting criminals behind bars when they break the law and suing the federal government when they overstep their authority."

Drummond served nearly eight years in the U.S. Air Force, achieving the rank of captain. He is also a successful businessman, whose holdings include Blue Sky Bank, Drummond Law Firm, and Drummond Communications, and a family ranching operation.

Vermont

Democrat Charity Clark was declared the winner over Republican Mike Tagliavia in Vermont. Clark served as an assistant AG and as chief of staff to AG T.J. Donovan who resigned in May 2022. Clark campaigned on her leadership experience in the AG's office. Her priorities include protecting Vermont's environment through climate change initiatives, preventing consumer scams and illegal robocalls, advocating for criminal justice reform, and addressing violence against women. She will be the first woman to serve as Vermont's AG.

In 2005, Clark's legal career began as an associate at Downs Rachlin Martin in Burlington and later at Orrick in New York City. Charity was hired as an assistant attorney general in the Public Protection Division by former Attorney General Bill Sorrell in 2014.

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