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***Regulatory Oversight Podcast: A Look Ahead to the 2024 State AG Elections***  
**From DAGA President Sean Rankin**

**Host: Ashley Taylor**

**Guests: Clayton Friedman and Sean Rankin**

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**Ashley Taylor:**

Welcome to another episode of *Regulatory Oversight*. A podcast that focuses on providing expert perspectives on trends that drive regulatory enforcement activity. I'm Ashley Taylor, one of the hosts of the podcast and the co-leader of our firm's State Attorneys General Team, and a member of our Regulatory, Investigation, Strategy, and Enforcement Practice.

This podcast features insights from members of our practice group, including its nationally ranked state attorney 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 and co-leader of our state AG practice, Clayton Friedman, joins me as we welcome Democratic Attorneys General Association President, Sean Rankin, to talk about the upcoming 2024 state AG Elections.

Sean was hired in 2016 by the Democratic Attorneys General Association as their first full-time executive director. Since then, he has been promoted to president of the organization and works with his staff to cover campaigns, recruiting, data analysis, communications, policy politics, and fundraising for the Democratic Attorneys General.

Sean, we are grateful to have you here today. I know this is a busy time of year for you and your staff with the November elections quickly approaching. Thank you again for your time and your willingness to join us.

**Sean Rankin:**

It's my pleasure. I always enjoy coming on and talking with you. I look forward to the conversation today.

**Ashley Taylor:**

Great. Clayton, why don't you get us kicked off?

**Clayton Friedman:**

Sean, it's a dynamic year. I was thinking back when Ashley mentioned you started in 2016. And I think about both the presidential and state AG elections that happened then. And then, of course, what happened in 2020 on the presidential side. But, also, how, after that election, it impacted a lot on AG relationships between Democratic and Republican AGs. And now we're

looking at 2024. Another dynamic election. I mean, I guess you came in at the right time if you were looking for fun and excitement. But tell me how the current environment on a high level is shaping up for the AG election races that are occurring in 2024.

**Sean Rankin:**

Presidential years are always special years for our elections. We have 12 seats that are in play. 11 of those are elected one way or another. One of which is appointed. We see a lot of dynamics shift because of the presidential landscape. As you all referenced, that came in in 2016. And we saw a seismic election then where Donald Trump won and beat Secretary Clinton unexpectedly. And we saw four years with Trump as a result of that. I think each of these elections, presidential election cycles, has borne something different out.

As it has to do with our elections and the AG races that are up, what we find in a presidential election cycle for the AG races is North Carolina and Pennsylvania. These are two battleground states that have tremendous influence on that presidential count on getting to 270. We see our AG races play a big role in what's happening on the ground in both of those states. We did in '16. We did in '20. And we're seeing again in '24.

And these are pretty contentious races. They will be outsized compared to a lot of other races. And then typically, the remaining races in your 20, your presidential year, in 2024 now, they tend to fall into the red and blue category pretty safely. Most of the focus, if not all the focus, is really on Pennsylvania, North Carolina. And then it's the back and forth between what's happening at the true national level in that presidential race. What's happening in the gubernatorial races? And then, obviously, how that AG race plays into the greater set of dynamics and what those outcomes could look like.

**Clayton Friedman:**

Let's zero right into North Carolina. Because I think there's so much dynamic things happening. You've got a state that traditionally, at least lately, has elected Republican House and senate members. The governor has been Democratic. It looks like Josh Stein has open up a size of a lead there. But what about when you push it down to the attorney general race? What trends are you seeing? What can you tell us about the two candidates? And how do you think the presidential race and the governor's race will either help or hurt the Democratic candidate?

**Sean Rankin:**

Exciting year in North Carolina. But we can't not include the recent tragedy of the hurricane hitting. Because it does have an impact on the election. But it also has an impact on the lives of real people. I know that Governor Cooper, General Stein are spending a lot of time in Western North Carolina right now. We've certainly seen the vice president and other members of the administration in the state doing what needs to be done in order to help those families who have lost loved ones as well as who are out and dislocated now.

We focus on the election. But obviously, we recognize that people vote. We recognize that people are hurting. And that's going to have some sort of an impact which still remains to be seen. We're keeping an eye on what's happening generally in the state. I think in the more standard case, separate from Helen, what we've been seeing in North Carolina is pretty

dynamic change since the vice president has moved to the top of the ticket. We saw re-shifting there. We saw sort of the greater base of voters start to move. I think we found a lot of increased interest. And quite frankly, the numbers have been better. I think we're actually seeing the presidential more competitive in North Carolina right now than we did in 2020. And it was competitive then. But I think it really is very purple right now. It can go either way.

We have Attorney General Josh Stein running for governor. Josh has run an outstanding race from the moment he got into it. But that's been characteristic of Josh and each of his races. We've just seen him do the work day and night. And he has done that again. And as a result of it, he was in an extremely strong position. We also saw Mark Robinson implode. It's been well-documented. The fact that he already was a little bit of an on-the-edge candidate and his own behaviors have now put him sort of over the guardrail and in free fall. That actually is having an impact on the AG race as well.

I'm excited about the AG race from where we were when we got started with Jeff Jackson against Dan Bishop. Both members of Congress. Jeff looked at this race and number of times. And then with changes in the congressional district, decided to run in North Carolina. We were excited about that. He's proven to be a prolific fundraiser. He is pushing very hard to get what he needs done.

And Dan Bishop has decided that he wants to wrap himself in Mark Robinson. He's continued to say, even after Robinson's stumble, fall, and collapse that we still need to go and support Mark Robinson. I think he's making a choice there. That's a strategic decision where he's leaning. I think Jeff Jackson and other strategic allies are leveraging that. And to the outcome of this race, it's going to have an impact.

Now, if the ambition would have gone a different direction, I know that obviously it's a strategic choice, it may work out a little differently. But I think he gave us an advantage there and he's going to hear about it. And he continues in saying, "I am supportive of Mark Robinson." And so, Dan Bishop have to deal with the fact that people in North Carolina have a really good sense of who Mark Robinson is. They know what he's done. And they continue to say, "I'm Dan bishop. And I support Mark Robinson. That's a choice."

We were running a good race before then. Jeff Jackson has been pushing all the way through. But sometimes it's not just you doing your work. Sometimes it's how the other team stumbles. And the other team stumble. When I look at this race right now and the way it's setting up, Jeff Jackson is going to run through the tape. He's working his tail off. He's going to keep pushing. We're talking about issues that matter to people.

Right now, the issues that matter in North Carolina are abortion. It is still an issue. It's an issue which the other side keeps giving us. Dan Bishop does not believe in exceptions for rape or incest. He is not in line with where the average North Carolina voter is. He's not in line with where the majority of Americans are.

Again, these are strategic choices that we see over and over again. They will have an impact on this race. But we know we've got to keep doing our job in support of Jeff, in support of Josh, and in support of the vice president. And I actually am feeling more bullish right now on North Carolina knowing that, in 2016, Josh Stein won by 20,000 votes. Knowing that, in 2020, Josh won by 13,000 votes.

I mean, these are razor-sharp or razor thin margins in North Carolina. We know that. But that's why you have to go execute. You set your plan. You go run your plan. You work as hard as you can. We're just not stumbling. And I think that's been the tradition for the last eight years in North Carolina with also a hat tip to Governor Cooper for his runs. But I think we continue to see this level of performance in our candidates in the way we structure our work to get things done and to get over the line.

**Clayton Friedman:**

Let me ask you one follow-up question about that. You listed a lot of real positive factors quite frankly for the Democrats to pick up by Vice President Harris. The strength of Josh Stein and how much he has separated himself from his opponent. But, yet, the polls are still pretty close at the AG level at least from what we've seen. What are your hurdles? What do you have to overcome in addition to bring that home?

**Sean Rankin:**

I think we have to just continue to talk to voters. And it's as much about introducing Jeff Jackson and what Jeff Jackson believes and who he is. As well as it is to point out this is what Dan Bishop has said. Dan Bishop continues to say, "I support Mark Robinson." Okay. Then you're going to hear that from us. He's going to say he has said that he does not believe in abortion even in cases of rape and incest. Okay. You're going to hear that. We're going to see messaging, which is not a surprise. It's where the voters are. We're going to go talk to the voters. We're going to meet them where they are.

And, again, North Carolina is a very competitive state. But we're seeing the vice president be competitive. We're seeing her numbers better than President Biden's last time through. Obviously, Stein's numbers are off the map. Josh is going to go to a win. There's not going to be any upset there. There's not going to be a surprise. There's not going to be a turnaround.

For DAGA and Jeff Jackson, it is about finishing out the tape. Running through it. Getting our jobs done. And we just go and perform. That's how we get across. And I do not expect big margins. I would like to be closer to 30,000 than 13,000. But we're going to go do our work and see where we land.

**Ashley Taylor:**

I'm curious, we all know, and certainly it was the case when we started our AG practice more than 20 years ago, that the general perception was that the AG was the "top cop". Frankly, a lot of folks, a lot of voters didn't understand the breadth of the office and the role it played as counselor to all state agencies, enforcement, etc. I wonder if you could talk about how the office is viewed particularly in these razor-thin margin states like in North Carolina and Pennsylvania. Has that model changed? What's the perception of the office?

**Sean Rankin:**

I appreciate that question because I've seen a lot of change in the almost nine years I've been at DAGA and how the role is understood. But it's also to say that there's still a general lack of understanding about what an AG does. AG's powers in any state are extraordinarily broad. It's

not just determined by what may be in the state constitution. It's also out of legislation. The powers are granted. It's also about precedent and court. I mean, it's in common law.

There are elements here for what an AG can do that really stretch much broader than any other office. And as a result, it's really hard to explain what the AG does in a simple way. Most people, think of politics, they can't really get past eighth-grade civics and three co-equal branches of government at the federal level. They don't really get into what does that 10th Amendment really say? And what does that actually mean? And how does that actually work with state officeholders? It's a complicated terrain.

We definitely see that – and, again, it varies state to state. That, in some states, the AG is the top cop. And there's no question about that. More often than not, it's the chief legal officer. And there is a lot of work that's done sort of across the government. They operate in the legislature. They operate in the judiciary. They operate within the executive branch but independently.

Again, it's sort of tough to explain all of this to those who are unaccustomed to it. But it also goes to the question of why there are experts like you and why there are practices that actually do this work. Because even the most sophisticated corporate partner or interest group, it's hard to explain how to make it work and how to engage with AGs. And what they really can touch and what they can't touch.

And even here in DC, there are a lot of conversations I have where you would think that because of the overall sophistication of that person I'm talking to that they would have a better sense, they usually don't. And we've got to sort of step back and sort of meet people where they are and moving forward.

In North Carolina, it's a mix. They do have some measure of criminal authority. It's really at the appellate level. But you still get that perception of this is a prosecutor. And in some cases, they might be, but that is not typically the case. Consumer protection tends to be a much broader, larger bucket of the work they do. And I think that's starting to come across. And we see it more often than not with constituents. But it still takes a lot.

And so, the work in progress to help educate the general public on what AGs do, and, again, because they're different in each state, to really sort of give them that overview and then fine-tune when you're going from North Carolina, to Pennsylvania, to California, to New Jersey, to Connecticut. You just get a broad swath of powers. And it takes a little bit more than, again, that eighth-grade civics book.

**Clayton Friedman:**

Let's talk about Pennsylvania. It's a really unique State. It's all I had an elected attorney general since 1981. The first 30 years were all Republican. The last 15 or so have all been Democrat. It's also unique that every single elected Attorney General from the state of Pennsylvania is still alive. Not sure any other state can make that claim. That's a good trivia question. But there's different dynamics taking place in Pennsylvania than there are in North Carolina. Tell us about the two candidates. Tell us about the dynamics. And, again, how's the presidential election going to impact Pennsylvania?

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**Sean Rankin:**

Pennsylvania, another closed race, which is what we expect. Eugene DePasquale is our candidate. Dave Sunday is the Republican candidate. What we see in Pennsylvania is a dynamic environment. This is a must-win state for the vice president in order to get to 270. You can lay the math out any way you want. But the reality is, is that for Vice President Harris, a former Democratic attorney general, for her to actually take the White House, she needs Pennsylvania.

We're seeing in Pennsylvania a tremendous amount of infrastructure and spending by the vice president's campaign. We're seeing a very well-run campaign. We get the benefit of much of that work. But in Pennsylvania, we're seeing a balancing act. We had a five-way primary on the Democratic side. Eugene was the candidate who came through. He has been elected statewide previously. That's his benefit. I think it also gives him a measure of name ID, which has been important right now.

We've seen a billionaire come in and spend consider on behalf of Sunday. There are a few issues there with those in-kinds on the hard side on the coordinator side not being reported, which is a flag and an issue for me quite frankly. And how the Sunday campaign is handling some things. You can't turn away from \$6 million in spending. It needs to go on your report. Amend the report and get it out, which they've chosen not to do for reasons I can't explain.

In terms of the dynamics that's created, we've had one approach in Pennsylvania when it was Josh Shapiro running. For both Josh's runs in '16 and '20, we moved direct money into the campaign which gives you the advantage of additional value. The candidate rate versus the IE rate on spending is considerably different. RAGA has gone in primarily on the IE side. We've been on the direct side. We get the benefit of the additional value in those dollars.

But that other spend, that other \$6 million of spend to date, at first started changing the dynamics of the race. We actually saw that it was having an effect. Now that Eugene is on TV, now that we've been able to introduce him or reintroduce him to Pennsylvania voters, we've actually seen him move. And we actually are back where we want to be. It's still a close race. I think this will be a close race through the final tally. But Eugene is doing what he needs to do. He actually overperforms in Western Pennsylvania. He's from Pittsburgh. That gives him an advantage. So that you have some counties which are a little bit more red.

And if he overperforms, similar to how Shapiro overperformed in a lot of red counties, that starts to add up votes that otherwise wouldn't come. And I think we feel pretty good about Philadelphia performing as Philadelphia will. We actually see Eugene moving in the right direction. People are responding to his ads. We really are seeing some movement there.

We're going to see sort of this continued bump and grind all the way down to the end. But we've seen him move in our polls. We're regularly in the field just tracking to see where things are, to see how effective the media is. We're getting pretty quick feedback on what's happening.

I think the campaign, I think Eugene has done a very good job in moving forward. Again, DePasquale has done a great job with fundraising. He's got Shapiro support, which means a lot. Josh is an extraordinary campaigner. He is a leader who will move people. This matters to Governor Shapiro. He wants a democratic AG and that spot. The vice president wants the

benefit of having someone who performs well in Western Pennsylvania. Also, on that ticket helping to move forward.

We get the benefit of those, that presidential support. The vice president and her team get the benefit of a candidate from Western Pennsylvania that helps to bring more people out. I think it's a good mix. I like where it's going. It's going to be tough. It's still going to be close. It never feels as close as North Carolina races do. We have to balance out sort of how these races look against each other just in terms of how we handle them.

But, truly, Eugene has done a great job as candidate. He's continued to improve. We like where he's going. I think he really connects with voters. He has a good story, personal story that he continues to tell. He's doing what he needs to do. And he keeps up the work. And that's the commonality between both these states and these races generally. To win in Pennsylvania and North Carolina, you have to have candidates who do the work and who show up every day. And we have those candidates in both of these races. And they're doing their jobs. We're doing ours. And we're going to get over that line.

**Clayton Friedman:**

You have a unique situation in that. In North Carolina, the governor's race is up as well. But not in Pennsylvania. Because the governors are in a different cycle than the Attorney General race. Does that make a difference? I mean, does it help or hurt in one state versus the other that there's a governor running in North Carolina and there's not a governor running in Pennsylvania?

**Sean Rankin:**

Well, I'll tell you the upside in each state. And I think you could look at this differently. But I'll tell you what I think the upside is. I think to have Governor Josh Shapiro supporting Eugene DePasquale and not running his own race matters. And so, he's committed to making sure that the vice president is successful in her presidential bid. He wants to help to reelect Senator Casey. He wants to get Eugene over the line. He can put his effort into everyone else. And I think that matters.

Again, Josh Shapiro is an extraordinary campaigner. He's very capable. He's going to go push and get things done across the board. He's someone you want in your corner. I think in North Carolina, I think the fact that Josh Stein has been so successful with raising the money he has. Now he's got Mark Robinson who has imploded. Now you've got Dan Bishop who wraps himself in Mark Robinson. And Josh and Jeff work well together. You're seeing that push and that movement. But Josh also has resources available now too that he would have otherwise spent on his own campaign. And I think that goes to other investments in the landscape generally. He has that availability. He has that kind of funding available. He can look at strategic aims now in addition to an election win. I think it's working out the best way it could in both of these circumstances. Although, I think it always matters who the personalities are. Not just the fact that it's sort of the races.

Again, we've just seen a pattern. North Carolina, Cooper-Stein. And now we've got Stein-Jackson. And we've been successful with working well with DGA with making sure that we're working with Governor Cooper when Josh is running for reelect. And now, again – or the first

time and now with reelect. And now with Jeff. And in Pennsylvania, again, you got to win it. I think there's more of an alignment with the vice president's campaign in Pennsylvania. We're getting what we need. The ingredients are just a little bit different in each state. The proportion of the things we're sort of mixing in to get this thing bait is really important.

**Ashley Taylor:**

Do you think it's possible that you could have a scenario where the outcome of the presidential race in Pennsylvania and North Carolina does not dictate the outcome of the AG races?

**Sean Rankin:**

Yes. Very much so. If you look at the 2020 Presidential Election in North Carolina, President Biden came a little short. He was a point and a quarter, point and a half short. Josh Stein won. I think, generally, in politics, everyone benefits if you see other statewide campaigns that are running effectively. And I think we have – you think about the presidential. It's a national election. But it's really the aggregation of state elections added all together.

When we see the vice president now performing very well in North Carolina, I think that's a benefit to Jeff Jackson. We see her running very well in Pennsylvania. Again, it's a benefit to Eugene DePasquale. I don't think you have to win. And I'll say that about North Carolina. I don't think it's dependent upon the outcome of the presidential for – and I would have said this before the Robinson implosion, for Josh to win the gubernatorial. I don't think it's necessary for Jeff to win the AG's race. I think it's more of a help in Pennsylvania. But we see her running well in both states. I'll take the win at my back any day.

**Clayton Friedman:**

Let's talk about your other key races and your open seats. Washington. It's kind of funny. As I keep going down each of these different states, it's almost like we're in a cycle that they all have some unique issues. Washington's open. The Attorney General is coming off at a very successful two-term. His predecessor also had a successful two-term from the other side. How does that race look? Who's running? And what is your forecasting telling you about Washington?

**Sean Rankin:**

Well, we're excited to have Nick Brown as our candidate in Washington State. He is running to fill the seat that's being vacated by Attorney general Bob Ferguson who's running for governor. I actually spoke with General Ferguson yesterday to get his take on the race and just to check in. I think things in Washington State look very good.

We do not see Washington as being very competitive. It tends to have the eastern part of the state which certainly is more red. But since the Obama election in '08 and then with the midterm in '10 when there was a fairly large push back, we've seen just this dynamic change in some states. I think Washington State moved from a purple state to a fairly blue state.

It could elect Republicans. I don't think it happens in this race. Nick has run a good race. He's got the support of AG Ferguson. He's got the support of the governor. And I think we're going to

continue to see him just finish out what he's doing. He's starting to build relationships with our AGs, which is important. He'll do his work from the campaign side. I think the dynamics are such that things are moving.

We show the vice president up 10, 12 in Washington state. And we see Democrats certainly going home. We've got AG Ferguson in the governor's race. High single digits. And he's been moving for quite some time. We're seeing Nick move. This is going to go the way it needs to. The way we're expecting it to go. We're excited. Not to get ahead of ourselves. We're excited to see him come into that office to pick up where AG Ferguson has left off. And, again, we wish Bob Ferguson great success as soon to be, hopefully, governor of Washington State.

**Clayton Friedman:**

Oregon seems to be much the same as how you analyzed Washington State from what I can tell. The candidate's doing really well. He's got big shoes to fill. Really big shoes to fill. Maybe talk about Ellen's legacy a little bit. But, also, tell us about how Dan's running his campaign and how he looks.

**Sean Rankin:**

It's a sad moment with the retirement of AG Ellen Rosenblum. She's been my partner since I came in to this job. The first time I met her was my job interview for this role. And she was either a co-chair or has been on my executive committee every year that I've been here. And a true friend. A true partner. And she affectionately refers to herself as the mama bear. And I think that's how she sees herself with our team and the staff. I think that's how she sees herself generally.

Three terms as AG. That can't say enough things about AG Rosenblum. Truly, it's a well-deserved step out of office. But I'm going to miss her. Because she's just a partner. She's a true partner to me. And it means a lot for everything that she's done with me along the way. And it's happening. The next step is making sure the seat stays in our hands.

Dan Rayfield is the former Oregon House Speaker. We show him with a sizable lead in this race. I find Dan to be smart. I find him to be thoughtful in his approach to how to get things done. I think he brings a really good sense from his time in the House as speaker. I think we'll find him to be a good calling to the AGs. I think we'll find him to be open with partners to want to make sure he's building relationships. Understand what's important to them. But, really, a relationship guy. And I think he has an opportunity there in Oregon to define what he wants to do in the same way that Ellen has over the last 12 years. Really excited to work with him. I think people will enjoy getting to know him.

**Sean Rankin:**

Of the other races, any surprises or concerns you want to flag for our listeners?

**Clayton Friedman:**

I don't think that we see a lot of movement elsewhere. There are a couple of things that are worth mentioning. The dynamics of some of these states are hard. We've taken a really hard

look at Indiana. AG Rokita has another disciplinary action before the State Bar. I think this is his fourth. There is some measure of Indiana in the past being more purple. I think it's tough. We sort of look at that and we see the opportunity there. It's hard to catch lightning in a model. And we recognize that.

I think there are also some interesting missteps in Montana. There are towns where Montana certainly has looked a lot more purple than it does right now. Starting in '16, it very much has looked more red with the first Trump win. We keep an eye on it. We would like to engage our candidate there like Indiana as a good candidate and doing what needs to be done. But, truly, it's just not the competitive state that it has been. Again, we'd love an opportunity to see something open up. But as of right now, things tend to be falling again. Other than North Carolina and Pennsylvania, falling into the blue or into the red naturally where they are.

And we're just not seeing as many ticket splitters in Montana as we have in the past. We're not seeing sort of what we call sort of center-right Republican in Indiana as much as we have in the past. There are times where I think Indiana looks a little bit more like Alabama than it does like its neighbors. But that's just sort of the nature of some of the electorates as they change and as they respond to national issues and whatever is the event of the day. We recognize that. But, again, I don't think other than opportunity but just not enough opportunity to make a couple of these other states competitive.

**Clayton Friedman:**

Just as my own commentary on that, at least with Montana, I always think there's faith. Because they did elect Steve Bullock twice as their governor.

**Sean Rankin:**

Yeah.

**Clayton Friedman:**

And he was actually my presidential candidate that I initially backed. Is he involved in the race at all in the state?

**Sean Rankin:**

He is. And he's continued to be a leader in state, a national leader. We try to stay in touch with the former AGs who are out doing other things. Some have participated in practices and some still do work in sort of the greater AG arena. Some don't do as much. He's a tremendous leader. And he deserves the respect that he gets. I think he's a great guy.

**Clayton Friedman:**

And I obviously agree with that. Let's talk about some more macro-type issues. A little bit away from the election. In 2020, the election caused, I would say, some disruption among the working relationships of the Attorneys General. You had a group of Republicans challenged some races in different states and an entity which was always far different than the National Governors Association. Because they were all about law enforcement. Always found ways to work

together. Is that rectifying itself? Do you see the Democrats and the Republicans working on common objectives? Or are there still hurdles in the way?

**Sean Rankin:**

I think it's a little bit of both. I don't think that the AGs can escape the greater dynamics that exist in our country. I think they were among the last hold-outs. I know that when I came in, there was a general rule about not going after incumbents of the other side. RAGA chose to drop that agreements that sort of handshake in 2017 and go after Mark Herring. And that has sort of set us off on a different path.

But, respectfully, even for that decision, I think that Scott Will, who was the ED at the time, and AG Morrissey, who I remember talking to about it. Governor AG of West Virginia. I think they saw the writing on the wall. I don't think they were doing something that was really out of step.

I think that there is that desire to go compete. And I think there's a desire to compete across the country. They made the first step. But we've responded. We've got an extraordinary track record in purple states. And we go compete in red states. Whereas, they don't really compete in blue states. We'll go push the boundaries on this.

I think in particular though, in 2020 when 18 Republican AGs sought to overturn elections in states that were ours, in our battleground states, I think that was by far a step that you can't come back from. I mean, they walked into Pennsylvania. They walked into Wisconsin. They walked into Michigan. There were no bases for those suits. That was politics at its worst. And I think that actually has caused harm to a lot of relationships.

I will speak on behalf of the Democratic AGs and say that they've worked very hard to try to make sure that there are opportunities to work together. I know that AG Rosenblum right now as the Chair of the National Association of Attorneys General has worked very hard over the last year. We saw previous Dems who are in those roles. Try to make sure that they were looking for opportunities to work together.

My perspective is that they were rebuffed. That wasn't something that most of the Republican AGs wanted to do or quite frankly want to do now. I think it takes two to tango. And if you want someone to work with you, you got to find some common ground. I think our AGs have had their hand-out respectfully to shake on it and try to move forward. I don't think that's what we get back from the other side.

I think that the national dynamics make it a little harder too. We are seeing a split. I think being a Kentuckian, there are fewer elected officials in general who are in the true center. And I don't think that in the last 15 to 20 years that there's been a lot of ground for those people who have been in the middle. I think it does make it harder.

I think that there are opportunities though. But I think that that filing led by Ken Braxton to try to overturn the results, and free and fair elections, and key battleground states that were ours, I think that did great harm. And I don't say that I give that much credit often to many republican AGs. But Chris Carr in Georgia did the right thing by defending the election results in '20. I think he deserves to be acknowledged for that. I think that it has helped at least in one specific case.

But I think, really, what it comes down to is people have to decide, are they really going to go for the most extreme actions? And I found that that intention to overturn the election as one of those of the most extreme possible. And for me, it's very undemocratic. And so, it's a little hard to go back to casual conversation after something like that.

**Clayton Friedman:**

I appreciate your analysis on that point. One last question. 2026. Since I've been focused in the space since actually 1984, a long time ago, it's that off-cycle eighth year that always seems to be the most dynamic. Because you've got a lot of candidates who come up off a term limits who were elected six years ago now. I know there's a lot of probably open races. How many are you focused on already? How many do you think will be competitive? What else can you share with us?

**Sean Rankin:**

Well, in 2018, we had 12 new Democratic Attorneys General. We had eight Democratic to Democratic transitions. And we had four pickups. Now we look at 2026. And some of those same AGs who came in in 2018 are termed out. And so, we're going to see open seats across the country. We're going to have to fight.

There are 32 states plus a few of the appointed depending upon how the gubernatorial go. It's going to be a fight. It's going to be a huge fight. We're going to see it from coast to coast. We've seen a lot of our AGs run for governor. We just talked about Washington State and North Carolina as well. Obviously, Pennsylvania with Shapiro. But since I've been here, we've seen six go up and become governors.

We've got these two with the North Carolina replacement. There are a handful of them in the wings who are ready who – themselves for their teams with where they are. They're ready to go become governors and go compete in very tough states. We're going to see that type of change over that we saw on '18 again. It's a little hard to tell right now because there are a couple of AGs who I think it's going to depend upon what their sitting governor right now chooses to do. But I do think that we could see five, six, maybe more run for governor. There will be some interest.

If we actually look at the presidential right now and we also see that I think the vice president is doing what she needs to do, there's the potential for current AGs also to move into roles in the administration. The vice president understands the AGs. I think she's better in a room with AGs and she is anywhere. And I think she's really sort of found her grounding with us. And every time we see her, she's at her best. I think more people are seeing her at her best. But when she's with the AGs, it's something special.

And I know that we're going to continue to see that movement in the administration where currently there are nine former AGs, including the vice president. We're seeing a move into governor's offices. Haven't seen as many move into senate offices of late. But we used to have six. Three currently.

I think we've just seen the bench of the party move. And we've taken ownership of that over the last eight years. We're committed to it. We're committed to getting people ready, which falls

back to us. And now we have to go recruit. We have to go make sure that we're ready for what's to come. We've been working with our executive committee of AGs and the other AGs on a plan for getting ready for 2026 for a couple years. We saw the writing on the wall. It's going to be a lot.

**Clayton Friedman:**

Yeah. It's got to make for an interesting two-year cycle. There's no question about it. I want to thank you for your time. I know we could probably keep going on this for a long time. But that wouldn't be fair to anyone, particularly you and your schedule. But thanks a lot for your candidates and your straightforward answers. Although, that's what we've come to expect from you. And I have enjoyed this interview process quite a bit. And look forward to seeing you soon.

**Sean Rankin:**

Clay, thank you. I always enjoy being on the podcast with you. I enjoy engaging with you all. Thank you all for the engagement you have with us. And I sort of see it the same way. Very honest and open engagement. You all do great work, which I appreciate from my standpoint as president here at DAGA. I think conversations like this are important to have. And they're fun too. Thank you for giving me the opportunity to come on and talk about this. And I'm always here if you all need me.

**Ashley Taylor:**

Sean, I want to thank you again for joining Clayton and me today. I know our listeners enjoyed your valuable insights. I want to thank our audience for tuning in as well. And as a reminder, you can stay up-to-date with election information leading up to the November elections as well as the election results and analysis by visiting our blog at [regulatoryoversight.com](https://regulatoryoversight.com) and subscribing. Please make sure to subscribe to this podcast via Apple Podcasts, Google Play, Stitcher, or whatever platform you use. And we look forward to seeing you next time. Thank you.

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