

2022 State Attorneys General Election Results and Analysis

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Friends and colleagues,

Election Day this year saw races in 30 states and one in D.C. for attorney general, an increasingly relevant political position that holds enormous power over individuals and businesses alike. Tuesday's elections resulted in 13 newcomers to the job, although not much change in the balance of power of Republicans to Democrats in each state. Regardless of affiliation, they are all elected politicians with subpoena power. Many will be looking to establish themselves as a national voice on the substantial range of issues that attorneys general have historically engaged on, and a host of emerging issues like election fraud claims and enforcement of abortion laws.

Attorneys general are elected in all but a handful of states, and the GOP maintains an advantage of 27 to 24, including the District of Columbia. The Republicans have bolstered their advantage with a pickup in Iowa with the election of GOP candidate Brenna Bird, who campaigned on suing the Biden administration over policies that clash with Republican priorities. She beat long-time incumbent Tom Miller, the Iowa Democrat who held the position in a traditionally conservative state for 38 years, making him the longest-serving state attorney general in U.S. history. Although currently too close to call, the red-and-blue balance will stay the same if Democrat Kris Mayes beats Republican Abe Hamadeh in Arizona.

State attorneys general have been a rising national force in recent years, catching voters' attention with headline-making litigation and multistate investigations focused on everything from consumer protection to criminal justice to health care laws. Formerly soliciting a very lawyerly type in past generations, the current-day attorney general is much more of a political creature.

The partisan split matters in terms of what priorities a GOP attorney general may have versus a Democratic one, especially when considering that they now tend to hunt in proverbial packs. The number of lawsuits or investigations brought by multiple state attorneys generally has spiked in the past decade, with coalitions of dozens focused on both policy and political goals. A Republican attorney general may focus on investigating environmental, social and governance practices in the banking industry while a Democrat may be more likely to litigate climate issues. Big Tech and consumer finance remain popular targets regardless of party. These cases can last for years and cost millions to billions of dollars, which is why they tend to end in settlements from companies hoping to avoid the steep costs of going to court.

We have hints on what all these new state attorneys general want to get done while in office, but nothing is guaranteed. Businesses, especially those in industries repeatedly known to be targets of government investigations, should get to know them quickly and have a good understanding of how these new AG's, and the partisan balance amongst them, impacts their industry.

Kind regards,

Jason Dunn
Shareholder

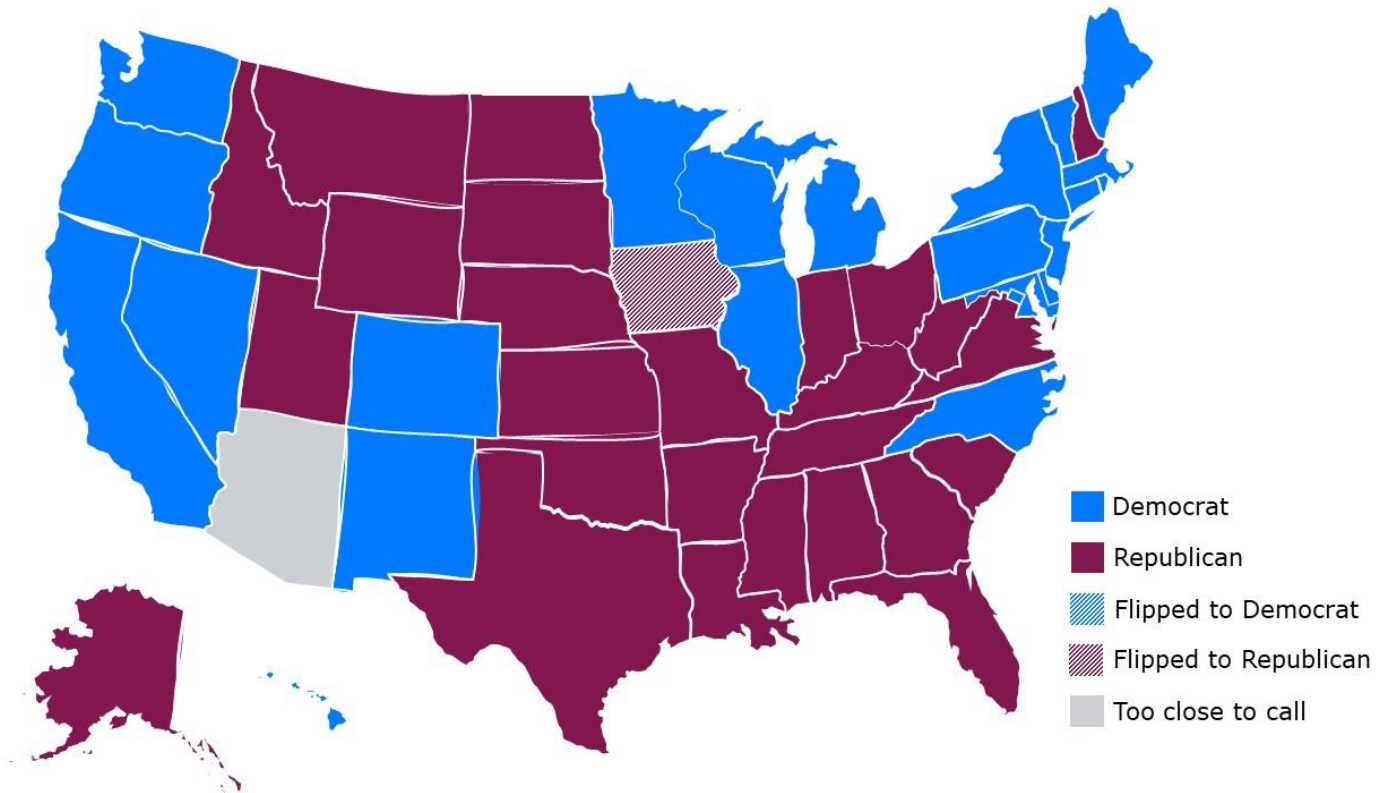
Sarah Mercer
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Current Balance of Power



Newcomers

Most newcomers either ran in races in which the incumbent didn't run or lost in primaries, while Brenna Bird defeated the incumbent in Iowa:

- Either **Kris Mayes (D)** vs. **Abraham Hamadeh (R)** in **Arizona**
- **Tim Griffin (R)** in **Arkansas**
- **Brian Schwalb (D)** in the **District of Columbia**
- **Raul Labrador** in **Idaho**
- **Brenna Bird (R)** in **Iowa**
- **Kris Kobach (R)** in **Kansas**
- **Anthony Brown (D)** in **Maryland**
- **Andrew Campbell (D)** in **Massachusetts**
- **Mike Hilgers (R)** in **Nebraska**
- **Raul Torrez (D)** in **New Mexico**
- **Gentner Drummond (R)** in **Oklahoma**
- **Marty Jackley (R)** in **South Dakota**
- **Charity Clark (D)** in **Vermont**

State-by-State Results

Alabama	Steve Marshall* (R) defeated Wendell Major (D) with 67.8% of the vote.
Arizona	Kris Mayes (D) vs. Abraham Hamadeh (R) is currently too close to call.
Arkansas	Tim Griffin (R) defeated Jesse Gibson (D) with 67.7% of the vote.
California	Rob Bonta* (D) defeated Nathan Hochman (R) with 56.9% of the vote.
Colorado	Phil Weiser* (D) defeated John Kellner (R) with 53.1% of the vote.
Connecticut	William Tong* (D) defeated Jessica Kordas (R) with 56.8% of the vote.
Delaware	Kathy Jennings* (D) defeated Julianne Murray (R) with 53.8% of the vote.
D.C.	Brian Schwalb (D) ran unopposed.
Florida	Ashley B. Moody* (R) defeated Aramis Ayala (D) with 60.6% of the vote.
Georgia	Chris Carr* (R) defeated Jen Jordan (D) with 51.8% of the vote.
Idaho	Raul Labrador (R) defeated Tom Arkoosh with 62.7% of the vote.
Illinois	Kwame Raoul* (D) defeated Thomas DeVore (R) with 53.7% of the vote.
Iowa	Brenna Bird defeated Tom Miller* (D) with 50.9% of the vote.
Kansas	Kris Kobach (R) defeated Chris Mann (D) with 51.1% of the vote.
Maryland	Anthony Brown (D) defeated Michael Peroutka (R) with 60.1% of the vote.
Massachusetts	Andrea Campbell (D) defeated James McMahon (R) with 62.4% of the vote.
Michigan	Dana Nessel* (D) defeated Matthew DePerno (R) with 53.2% of the vote.
Minnesota	Keith Ellison* (D) defeated Jim Schultz (R) with 50.4% of the vote.

Nebraska	Mike Hilgers (R) won with 70.4% of the vote.
Nevada	Aaron Ford* (D) is leading Sigal Chattah (R) 50% to 44.7%.
New Mexico	Raul Torrez (D) defeated Jeremy Gay (R) with 55.3% of the vote.
New York	Letitia James* (D) defeated Michael Henry (R) with 54.3% of the vote.
North Dakota	Drew Wrigley* (R) defeated Timothy Lamb (D) with 71.1% of the vote.
Ohio	Dave Yost* (R) defeated Jeffrey Crossman (D) with 60.4% of the vote.
Oklahoma	Gentner Drummond (R) won with 73.8% of the vote.
Rhode Island	Peter Neronha* (D) defeated Charles Calenda (R) by 61.4% of the vote.
South Carolina	Alan Wilson* (R) ran unopposed.
South Dakota	Marty Jackley (R) ran unopposed.
Texas	Ken Paxton* (R) defeated Rochelle Garza (D) by 53.5% of the vote.
Vermont	Charity Clark (D) defeated Michael Tagliavia (R) by 65.1% of the vote.
Wisconsin	Josh Kaul* (D) defeated Eric Toney (R) by 50.7% of the vote.

Note: Voting percentages are up-to-date as 8 a.m. on Nov. 10. There is a chance a few of the closer races may be subject to recount.

THIS DOCUMENT IS INTENDED TO PROVIDE YOU WITH GENERAL INFORMATION REGARDING THE 2022 MIDTERM ELECTION RESULTS FOR STATE ATTORNEYS GENERAL. THE CONTENTS OF THIS DOCUMENT ARE NOT INTENDED TO PROVIDE SPECIFIC LEGAL ADVICE. IF YOU HAVE ANY QUESTIONS ABOUT THE CONTENTS OF THIS DOCUMENT OR IF YOU NEED LEGAL ADVICE AS TO AN ISSUE, PLEASE CONTACT THE ATTORNEYS LISTED OR YOUR REGULAR BROWNSTEIN HYATT FARBER SCHRECK, LLP ATTORNEY. THIS COMMUNICATION MAY BE CONSIDERED ADVERTISING IN SOME JURISDICTIONS.