

December 13<sup>th</sup>, 2019

Petition for the recall of Robert Watson Ferguson here forward known as “Bob Ferguson” Attorney General, to the Honorable Kim Wyman Secretary of State.

We, the undersigned citizens and legal voters of the state of Washington respectfully direct that a special election be called to determine whether or not Bob Ferguson Attorney General be recalled and discharged from his office, for and on account of his having committed the acts of malfeasance, misfeasance and violations of the oath of office in the following particulars: abuse of power by an elected official, RCW 42.52.180, RCW 29A.84.250, RCW 29A.84.720, RCW 9A.80.010; failure of duty by public officer, RCW 42.20.100; failure to uphold the Washington State Constitution Article 1 Section 24, Article 2 Section 30; failure to uphold the United States Constitution Second Amendment.

Specific acts include:

(1) On or about March 8, 2018, and continuing until November 6, 2018, in the state of Washington, Bob Ferguson was the Attorney General of the State of Washington acted with the intent to obtain a benefit, to include political capital for election to public office, and/or acted with the intent to deprive persons in the State of Washington of a lawful right or privilege by impairing and/or infringing upon their rights to bear arms as protected by the Washington State Constitution, Article I, Section 24 and/or the 2<sup>nd</sup> Amendment to the United States Constitution by, but not limited to, either personally or through the use of his staff and office resources, drafting, crafting, negotiating, campaigning for, editing, lobbying for, and/or endorsing citizen initiative I-1639 that a) deprived Washington citizens aged 18-20 years of age of their right to purchase, and thus prospectively possess, own or use, semi-automatic “assault” rifles, that b) deprived all gun owners in the State of Washington of their unimpaired right to self-defense against, among other things, home invaders and/or criminals as guaranteed by the Washington State Constitution by imposing state-mandated gun storage and/or locking that impairs and/or infringes upon the use by one or more citizens of their right to use a firearm in an emergency within their homes and/or upon their property and/or to protect themselves or their family, that c) mandates semi-automatic “assault rifle” registration such that a chilling effect is created relative to the purchase or possession of semi-automatic rifles, that d) subjects citizens to state surveillance without probable cause or reasonable suspicion by virtue of the citizen owning and/or possessing a semi-automatic “assault rifle” such that the 4<sup>th</sup> Amendment to the US Constitution is violated, that e) innocent persons in Washington are subject to law enforcement intervention that results in, but is not limited to, home inspections, gun confiscation, interrogation and/or other law enforcement action triggered by state database activity that is not restrained by findings of probable cause and/or reasonable suspicion such that searches and seizures are permitted contrary to law, and that f) mandates firearms training and escalating semi-automatic assault rifle transferee and/or purchaser fees, thus raising the cost of purchasing semi-automatic “assault rifles”, and thus impairing and/or infringing the right to possess, bear and/or purchase such firearms contrary to law, and moreover, Attorney General Bob Ferguson

did the forgoing by intentionally committing one or more unauthorized acts under the color of law as Attorney General of the State of Washington by, but not limited to, violating the Washington Constitution, Article III, Section 21, ATTORNEY GENERAL, DUTIES AND SALARY, RCW 42.52.020, RCW 29A.72.060, RCW 29A.72.040, RCW 42.52.180, RCW 43.01.020, RCW 43.10.115 and/or RCW 43.10.030 and/or by refraining from performing one or more duties imposed upon him by law as referenced herein.

(2) On or about April 22, 2018, and continuing until November 6, 2018, in the state of Washington, Bob Ferguson was the Attorney General of the State of Washington, was charged and/or enjoined by law with certain statutory duties found in, but not limited to, the Washington Constitution, Article III, Section 21, ATTORNEY GENERAL, DUTIES AND SALARY, RCW 42.52.020, RCW 29A.72.060, RCW 29A.72.040, RCW 42.52.180, RCW 43.01.020, RCW 43.10.115 and/or RCW 43.10.030 charging him with the faithful performance of the Washington Attorney General's duties, and he, Bob Ferguson, willfully neglected to perform one or more of such duties by knowingly and willfully creating a conflict of interest between his duties as Attorney General and his personal support of citizen initiative I-1639 such that he intentionally recused himself from performing his official duties, as evidenced by his public statement given to a National Public Radio journalist on April 23, 2018 that he would "wall himself off from that process" of his official duties relative to I-1639 and did thereby impair and/or infringe the right of persons to keep and/or bear arms within the state of Washington and this county.

(3) On or about November 6, 2018, in the state of Washington, Bob Ferguson was the Attorney General of the State of Washington, was charged and/or enjoined by law with certain statutory duties found in, but not limited to, the Washington Constitution, Article III, Section 21, ATTORNEY GENERAL, DUTIES AND SALARY, RCW 42.52.020, RCW 29A.72.060, RCW 29A.72.040, RCW 42.52.180, RCW 43.01.020, RCW 43.10.115 and/or RCW 43.10.030 charging him with the faithful performance of the Washington Attorney General's duties relative to citizens' initiative I-1639, and he, Bob Ferguson, willfully neglected to perform one or more of such duties by knowingly and willfully creating a conflict of interest such that he recused himself from performing his official duties, as evidenced by his public statement at an election night celebration for I-1639 that "he would defend the measure in court if need be. 'We'll have a job to do and we'll do it' ", and thereby willfully neglected to defend the Washington Constitution and US Constitution relative to I-1639 that in whole, or in part, impaired and/or infringed upon the right of persons to keep and/or bear arms.

(4) On or about April 22, 2018 and continuously until November 6, 2018, in the state of Washington, Bob Ferguson was the Attorney General of the State of Washington, was charged and/or enjoined by law with certain statutory duties found in RCW 43.10.115 that prohibited him from engaging in the private practice of law, and that Attorney General Ferguson did violate his duties thereunder due to an admitted and established conflict of interest due to his support, endorsement and campaigning on behalf of citizen initiative I-1639 as evidenced by his statement that he would "wall himself off" from his duties as Attorney General, and that as a result, his continued participation in the I-1639 constituted the private practice law contrary to

law, and that Attorney General Bob Ferguson received remuneration in the form of political capital, votes, popular support and political benefits, and that in the course of this conduct, Attorney General Bob Ferguson lent the I-1639 his legal support in the form of advice, counsel, adviser, advocated and/or prominent proponent of the I-1639 campaign contrary to his duties and the law.

(5) On or about April 22, 2018 and continuously until November 6, 2018, in the state of Washington, Bob Ferguson was the Attorney General of the State of Washington conducted on the record news interviews with King 5 news and National Public Radio where he far exceeded legal protection of “incidental” comments to a direct inquiry as he endorsed Initiative 1639.

(6) On November 6, 2018, in the state of Washington, Bob Ferguson was the Attorney General of the State of Washington and accepted an invitation as a speaker for the “Yes on Initiative 1639” party on the eve of the November 6<sup>th</sup>, 2018 election.

(7) On or about April 22, 2018 and continuously until December 13<sup>th</sup>, 2019, in the state of Washington, Bob Ferguson was the Attorney General of the State of Washington continually promoted personal partisan ideals regarding taxes, firearms, and ammunition that infringe and impair citizens’ unalienable rights.

(8) On or about December 12<sup>th</sup>, 2019 in the state of Washington, Bob Ferguson was the Attorney General of the State of Washington held a public news conference to introduce new legislation with the intent of banning sales of semiautomatic “assault rifles,” magazines that hold more than 10(ten) rounds of ammunition, and requiring background checks for ammunition purchases.

(9) On or about April 22, 2018 and continuously until December 13<sup>th</sup>, 2019 in the state of Washington, Bob Ferguson was the Attorney General of the State of Washington, Bob Ferguson’s office failed to recuse itself from defense of Initiative 976. Bob Ferguson’s office is currently prosecuting the initiative sponsor Tim Eyman for campaign finance violations. Bob Ferguson’s office is also a party in a lawsuit with the Sound Transit Authority regarding constitutionality of their taxes. He simultaneously is arguing in defense of Initiative 976 which is a gross conflict of interest. Bob Ferguson’s office failed to provide an appropriate or adequate defense to Initiative 976 and it was subsequently blocked by a King County Judge, who was elected by voters in one of the few counties who voted no on Initiative 976.

By signing below, we affirm that we are legal registered voters of the State of Washington.

MATTHEW MARSHALL

2<sup>nd</sup> LD, 156<sup>th</sup> Precinct

Roy, Pierce County

SCOTT BANNISTER

2<sup>nd</sup> LD, 701<sup>st</sup> Precinct

Yelm, Thurston County