Citizens Group Seeks Federal Review of State Court Recall Rulings

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MT. VERNON, WA - October 30, 2026 -
Skagit Peers, a citizens group focused on constitutional government, Rylee Fleury said today it is asking federal authorities to review the Washington Supreme Court's handling of citizen recall petitions. On Oct. 15 the court dismissed every charge brought by seven Skagit County voters against the county prosecuting attorney and three county commissioners, upheld a $5,348.22 sanction against six of them, and awarded the officials their attorney fees for the appeal.

The group said it is sending written requests to the Civil Rights Division of the U.S. Department of Justice and to Washington's congressional delegation for an independent review, and if warranted an investigation, of whether the court's treatment of recall petitions has interfered with a political right the state constitution reserves to the voters. Skagit Peers is not a party to the case and does not speak for the petitioners.

The state constitution makes every elected officer subject to recall by the voters for malfeasance, misfeasance, or violation of the oath of office. The recall statute directs the superior court to hear the charges within 15 days and to decide only whether they are sufficient for the ballot, "without cost to any party." It directs that an appeal be "heard and determined within thirty days after the decision of the superior court." The Skagit County Superior Court ruled in January. The Supreme Court's opinion came nine months later.

The decision, In the Matter of the Recall of Richard A. Weyrich et al., No. 105,032-1, was unanimous. The court held that none of the charges, which concerned officials' oaths of office, the reporting of suspected losses of public funds, and public records, stated grounds for recall. The officials, represented by deputies of the prosecuting attorney's office, argued that the petitions were filed in bad faith to harass them, and the court agreed, affirming the sanction and awarding fees on appeal without stating which petitioners must pay them.

Skagit Peers said the ruling fits a pattern in the court's 2026 decisions. In February the court dismissed a recall petition against a Thurston County commissioner and reversed a superior court that had approved a recall of a Stevenson city councilmember. In April it dismissed a petition against the Secretary of State. In October it dismissed the seven Skagit County petitions. The one recall the court has allowed to reach voters

this year concerned the three Port of Benton commissioners, where the trial court had already approved the charges and the commissioners were the ones appealing.

"The constitution gives this power to the voters, not to the court," said Rylee Fleury, president of Skagit Peers. "When the court takes nine months to decide what the statute says must be decided in thirty days, charges citizens who used the process more than $5,000, and then adds the officials' legal fees on top, the recall exists on paper and nowhere else."

The prosecuting attorney named in the petitions was represented by deputies he appoints and supervises. A Public Disclosure Commission filing dated March 11, 2026 lists one of the commissioners named in the petitions as an officer of the campaign committee of the chief civil deputy who led the officials' defense of the appeal and who is a candidate for prosecuting attorney. The petitioners asked the court to consider that record; the court declined to accept it for filing in May and denied their motions on the point in July without stating reasons.

"A recall target's own office defended him against the voters, and a lawyer running for that office handled the case while one of his clients sat on his campaign committee," Fleury said. "The court was asked to look at that and would not. We think that is a question for someone outside the state court system."

The group's request asks three things: a review of whether the court's delay, its sanctions, and its refusal to examine the conflict presented to it have denied Washington voters a process their constitution guarantees; guidance on what remedies exist when a state's highest court controls access to a voter remedy and does not apply the deadlines the legislature set; and assistance to citizens who face monetary penalties for using the recall process in good faith.

"We are not asking anyone to overturn the court's decision," Fleury said. "We are asking for a set of eyes that does not answer to Olympia. Washington's voters are entitled to know whether the recall provision of their constitution still means anything."

The petitioners' time to ask the court to reconsider runs through Nov. 4. Skagit Peers said it will publish its letters when they are sent and invites citizens groups in other counties whose recall petitions were dismissed to join the request.

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Skagit Peers

Skagit Peers: a nonpartisan group of Skagit County Americans protecting constitutional local government and God-given rights for our children. We stand for the rule of law, real accountability, and responsible, low-waste use of public funds.

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