

BEFORE THE WASHINGTON STATE  
EXECUTIVE ETHICS BOARD

In the Matter of:

Governor Bob Ferguson

Respondent.

No. 2025-061

STIPULATED FACTS,  
CONCLUSIONS OF LAW AND  
AGREED ORDER

THIS STIPULATION is entered into by Respondent, Governor Bob Ferguson and Board Staff of the WASHINGTON STATE EXECUTIVE ETHICS BOARD (Board) through KATE REYNOLDS, Executive Director, pursuant to chapter 42.52 RCW, chapter 34.05 RCW, and WAC 292-100-090(1). The following stipulated facts, conclusions of law, and agreed order will be binding upon the parties if fully executed, and if accepted by the Board without modification(s), and will not be binding if rejected by the Board, or if the Respondent does not accept the Board's proposed modification(s), if any, to the stipulation. This stipulation is based on the following:

**A. STIPULATED FACTS**

1. On July 30, 2025, the Executive Ethics Board (Board) received a complaint alleging that Governor Bob Ferguson, Office of the Governor (GOV), may have violated the Ethics in Public Service Act. The complaint alleged that Governor Ferguson violated RCW Chapter 42.52, by using state resources for non-work related activities and by granting special privileges.
2. According to the complaint, Governor Ferguson allegedly allowed a private citizen to travel on the Washington State Patrol aircraft assigned for official use by the Governor's Office.

3. Governor Ferguson has been the Governor of Washington State since January of 2025. Prior to their role as Governor, Bob Ferguson served for 12 years (2013-2025) as the Washington State Attorney General.

4. Mike Webb, former GOV Chief Strategy Officer, resigned from GOV in March of 2025. Although Mike Webb was no longer employed by GOV, they were allowed to travel with Governor Ferguson on the State Patrol operated aircraft on June 26, 2025. Governor Ferguson invited Mike Webb on the State Patrol aircraft because Mike Webb had a meeting in the Tri-Cities on the same day Governor Ferguson was scheduled to fly to the same area for GOV business. Governor Ferguson knew there was an extra seat on the aircraft, so they offered it to Mike Webb. Governor Ferguson admits that in hindsight, Mike Webb's presence on the aircraft may have given the wrong impression that they have a role in Governor Ferguson's administration, which they do not. Governor Ferguson admits that they made a mistake, and it will not happen again.

5. In Governor Ferguson's written response to Board staff, they stated, in part:

*My actions did not involve the use of state resources for private gain. Allowing an individual to travel as a guest neither interfered with official duties nor provided that individual with any improper advantage derived from state office.*

*The flight in question was not at capacity. The individual's presence did not displace any state employee. It did not create additional cost in terms of fuel, staffing, or time. The state incurred no financial burden or misuse of taxpayer resources.*

*Even if the Board were to construe this as a use of state resources, such use was de minimis. Again, the travel imposed no cost, no operational burden, and no impact on state functions. Consistent with Board precedent, incidental or negligible use that does not result in added expense or harm to the public interest does not rise to the level of an ethics violation.*

6. Lastly, Governor Ferguson stated:

*For these reasons, I respectfully request that the complaint be dismissed. The facts demonstrate compliance with the Ethics in Public Service Act, the absence of any cost to the state, and-at most-conduct that is de minimis in nature. I remain committed to upholding the highest ethical standards.*

7. As part of this investigation, Board staff contacted the Washington State Patrol (WSP) to inquire about the associated costs involved with the use of the state aircraft for GOV business purposes. For this specific trip on June 26, 2025, the aircraft was only used by GOV and billed per flight hour. The plane has seven seats of which six seats were occupied by GOV staff. According to WSP, for the flight in question, it was billed at \$2,094.68 per flight hour.

## B. CONCLUSIONS OF LAW

1. The Ethics in Public Service Act, Chapter 42.52 RCW, prohibits state employees from use of persons, money or property for private gain. RCW 42.52.160 states:

No state officer or state employee may employ or use any person, money, or property under the officers or employees official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee or another.

2. WAC 292-110-010 Use of state resources, states, in part:

.....

**(3) Permitted personal use of state resources.** This subsection applies to any use of state resources not included in subsection (2) of this section.

(a) A state officer or employee's use of state resources is de minimis only if each of the following conditions are met:

- (i) There is little or no cost to the state;
- (ii) Any use is brief;
- (iii) Any use occurs infrequently;
- (iv) The use does not interfere with the performance of any state officer's or employee's official duties;
- (v) The use does not compromise the security or integrity of state property, information systems, or software;
- (vi) The use is not for the purpose of conducting an outside business, in furtherance of private employment, or to realize a private financial gain; and

(vii) The use is not for supporting, promoting the interests of, or soliciting for an outside organization or group.

1. Based on the stipulated facts above, Governor Ferguson used state resources under their control for the private benefit or gain of a non-state employee in violation of RCW 42.52.160.

2. Ethics boards may adopt rules that allow for the occasional personal use of the state employee. RCW 42.52.160(4). The Board's de minimis use rule, WAC 292-110-010(3), provides criteria for the state employee's personal use. In the matter at hand, the de minimis use rule does not apply as use of the aircraft was for a non-state employee's personal use and not the state employee's personal use as contemplated by the de minimis use rule.

3. Under RCW 42.52.070, no state officer or state employee may use his or her position to secure special privileges or exemptions for himself or herself, or his or her spouse, child, parents, or other persons.

4. Based on the stipulated facts above, Governor Ferguson provided a special privilege to a non-state employee by allowing them passage on a state aircraft in violation of RCW 42.52.070.

5. The Board is authorized to impose sanctions for violations of the Ethics Act pursuant to RCW 42.52.360. The Board has set forth criteria in WAC 292-120-030 for imposing sanctions and consideration of any mitigating or aggravating factors.

### **C. AGGRAVATING AND MITIGATING FACTORS**

In determining the appropriateness of the civil penalty, the Board reviewed the criteria in WAC 292-120-030. In the matter at hand, it is an aggravating factor these types of violations

significantly reduce the public respect and confidence in state government employees. In the matter at hand, there are no mitigating factors.

#### **D. STIPULATION AND AGREED ORDER**

1. Pursuant to chapter 42.52 RCW, the Executive Ethics Board has jurisdiction over Governor Ferguson and over the subject matter of this complaint.

2. Under RCW 34.05.060, the Board can establish procedures for attempting and executing informal settlement of matters in lieu of more formal proceedings under the Administrative Procedures Act, including adjudicative hearings. The Board has established such procedures under WAC 292-100-090.

3. Pursuant to WAC 292-100-090(1), the parties have the authority to resolve this matter under the terms contained herein, subject to Board approval.

4. Governor Ferguson agrees that if any or all of the alleged violations were proven at a hearing, the Board may impose sanctions, including a civil penalty under RCW 42.52.480(1)(b) of up to \$5,000, or the greater of three times the economic value of anything received or sought in violation of chapter 42.52 RCW, for each violation found. The Board may also order the payment of costs, including reasonable investigative costs, under RCW 42.52.480(1)(c).

5. Governor Ferguson further agrees that the evidence available to the Board is such that the Board may conclude they violated the Ethics in Public Service Act. Therefore, in the interest of seeking an informal and expeditious resolution of this matter, the parties agree to entry of the stipulated findings of fact, conclusions of law and agreed order.

6. Governor Ferguson waives the opportunity for a hearing, contingent upon acceptance of this stipulation by the Board, or their acceptance of any modification(s) proposed by the Board, pursuant to the provisions of WAC 292-100-090(2).

7. If the Board accepts this stipulation, the Board agrees to release and discharge from all further ethics proceedings under chapter 42.52 RCW for any allegations arising out of the facts in this matter, subject to payment of the full amount of the civil penalty due and owing, any other costs imposed, and compliance with all other terms and conditions of the stipulation. Governor Ferguson in turn agrees to release and discharge the Board, its officers, agents and employees from all claims, damages, and causes of action arising out of this complaint and this stipulation.

8. If the Board accepts this stipulation, it does not purport to settle any other claims between Governor Ferguson and the Washington State Executive Ethics Board, the State of Washington, or other third party, which may be filed in the future. No other claims of alleged violations are pending against Governor Ferguson at this time.

9. If the Board accepts this stipulation, it is enforceable under RCW 34.05.578 and any other applicable statutes or rules.

10. If the Board rejects this stipulation, or if Governor Ferguson does not accept the Board's proposed modification(s), if any, this matter will be scheduled for an administrative hearing before the Board. If an administrative hearing is scheduled before the Board, Governor Ferguson waives any objection to participation by any Board member at the hearing to whom this stipulation was presented for approval under WAC 292-100-090(2). Further, Governor Ferguson understands and agrees that this stipulation as well as information obtained during any settlement discussions between the parties shall not be admitted into evidence during the administrative hearing, unless otherwise agreed by the parties.

11. Governor Ferguson agrees to pay a civil penalty in the amount of four thousand dollars (\$4,000) associated with violations of RCW 42.52. The Board agrees to suspend two thousand dollars (\$2,000) on the condition that Governor Ferguson complies with all terms and



**II. ORDER**

Having reviewed the proposed stipulation, WE, THE STATE OF WASHINGTON EXECUTIVE ETHICS BOARD, pursuant to WAC 292-100-090, HEREBY ORDER that the Stipulation is

\_\_\_\_\_ ACCEPTED in its entirety;  
\_\_\_\_\_ REJECTED in its entirety;  
\_\_\_\_\_ MODIFIED. This stipulation will become the order of the Board if the Respondent approves\* the following modification(s):

\_\_\_\_\_  
\_\_\_\_\_

DATED this 8<sup>th</sup> day of May 2026.

\_\_\_\_\_  
Megan Abel, Chair

\_\_\_\_\_  
Cam Comfort, Vice Chair

\_\_\_\_\_  
Kelli Hooke, Member

\_\_\_\_\_  
David Hankins, Member

\_\_\_\_\_  
Mark Rapozo, Member

\* I, Governor Ferguson, accept/do not accept (circle one) the proposed modification(s).

\_\_\_\_\_  
Governor Ferguson, Respondent                      Date