



Washington State Executive Ethics Board

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INVESTIGATIVE REPORT AND BOARD DETERMINATION OF REASONABLE CAUSE

CASE NUMBER: 2025-061
DATE: December 2, 2025
RESPONDENT: Governor Bob Ferguson
EMPLOYING AGENCY: Office of the Governor

I. INVESTIGATIVE REPORT

A. Background and Summary of Complaint

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.

B. Scope of Investigation and Relevant Facts

Pursuant to RCW 42.52.420, Board staff reviewed the complaint, the agency response including supporting documents and emails, reviewed the respondent's written response, and interviewed staff. Board staff also reviewed the scope of the Board's jurisdiction and authority under the Ethics in Public Service Act, RCW 42.52.

Based upon the investigation, Board staff determined the following:

1. 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.
2. According to GOV, 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.
3. As part of this investigation, Board staff located two news articles related to this allegation. One article, posted by the Chronicle on July 30, 2025, stated that Mike Webb, former GOV chief strategy officer, had resigned from GOV in March of this year due to hostile workplace allegations. Although Mike Webb was no longer employed by GOV, they were allegedly allowed to travel with Governor Ferguson on the State Patrol operated aircraft on June 26th of this year. The Chronicle further claimed that in an emailed statement from Governor Ferguson, Governor Ferguson stated they 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 allegedly stated in their emailed statement that there

was an extra seat on the aircraft, so they offered it to Mike Webb. Governor Ferguson allegedly stated 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. Lastly, the article claimed that in Governor Ferguson's emailed statement, they stated they made a mistake, and it will not happen again.

4. In a separate news article, posted by the Seattle Times on July 29, 2025, they claimed to have obtained audio recording from a Zoom meeting in which Governor Ferguson apologized to their staff for allowing Mike Webb on the plane trip to the Tri-Cities. Governor Ferguson allegedly called their decision to invite Mike Webb along for the June trip "pretty stupid." The Seattle Times article noted that the audio recording had been "surreptitiously recorded and provided" to the Times.¹ However, the Times article noted that it granted anonymity to the source of the audio to protect them from "retaliation."

5. As part of this investigation, Board staff were able to obtain flight logs for the date in question, June 26, 2025. One of the names written on the flight logs was "Matt Webb."

6. 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.

7. 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.

8. 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. According to WSP, costs are calculated on a per flight hour basis, which includes pilot, aircraft, indirect costs, and applicable surcharges. When the aircraft is shared among

¹ It should be noted that Washington State law requires consent from all parties if a call is recorded. RCW 9.73.030 Intercepting, recording, or divulging private communication – consent required – exceptions.

multiple state agencies, WSP applies a “per-seat” cost. During those trips, the total hourly cost is divided evenly by the number of passengers onboard and each passenger, or their agency, is billed for their individual share. For this specific trip on June 26, 2025, the aircraft was not shared and only used by GOV, which meant the cost of the aircraft was billed per flight hour.



Justin Cotte
Investigator/Analyst
Executive Ethics Board

II. APPLICABLE LAW AND ANALYSIS

The complaint alleges violations of the following sections of the Ethics in Public Service Act:

RCW 42.52.160 – Use of persons, money, or property for private gain, which states, in part:

- (1) No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.

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.

And;

RCW 42.52.070 – Special privileges and exemptions, which states, in part:

- (1) Except as required to perform duties within the scope of employment, 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.

State Administrative Travel Manual 10.10.10(a) states, in pertinent part:

Agency heads, and their designees for directing travel and approving reimbursement, are to:

1. Ensure that any travel costs incurred are:

- Directly work related,
- Obtained at the most economical price, and
- Necessary for state business.

Based on the evidence reviewed, Governor Ferguson used state resources under Governor Ferguson's control for the private benefit or gain of a non-state employee in violation of RCW 42.52.160.

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.

Based on the evidence reviewed, 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.

III. REASONABLE CAUSE RECOMMENDATION

WAC 292-100-050(2) provides that upon receipt of the Board staff's investigative report and reasonable cause recommendation, the Board shall determine whether or not there is reasonable cause to believe that a violation of chapter 42.52 RCW has occurred.

Based on the investigation, the Executive Director recommends that the Board enter a finding of reasonable cause to believe a violation or violations of RCW 42.52 have occurred, and the penalty may be over \$500.

Kate Reynolds

Kate Reynolds, Executive Director
Executive Ethics Board

IV. BOARD REASONABLE CAUSE DETERMINATION AND ORDER

Based upon the investigative report, we, the Washington State Executive Ethics Board determine the following:

Pursuant to RCW 42.52.420, IT IS HEREBY ORDERED

There is reasonable cause to believe that violation(s) of RCW 42.52 have been or are being committed and the penalty may be:

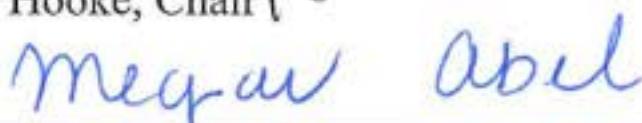
GREATER THAN \$500
 \$500 OR LESS

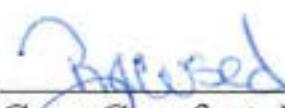
Pursuant to RCW 42.52.425, IT IS HEREBY ORDERED that the complaint is DISMISSED for the following reason:

Any violation that may have occurred is not within the jurisdiction of the board
 The complaint is obviously unfounded or frivolous
 Any violation that may have occurred does not constitute a material violation because it was inadvertent and minor, or has been cured, and, after consideration of all of the circumstances, further proceedings would not serve the purposes of this chapter.

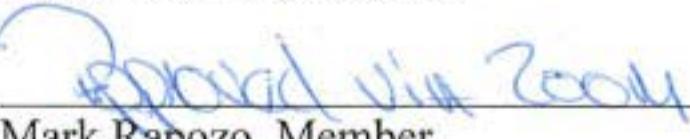
DATED this 9th day of January 2026.


Kelli Hooke, Chair


Megan Abel, Vice Chair


Cam Comfort, Member


David Hankins, Member


Mark Rapozo, Member