

Dear Retailer:

I want to let you know that I am very much opposed to the petition signature gathering that is occurring on your private retail property. These signature gatherers frequently use misleading language when soliciting signatures, and oftentimes signature gatherers are *paid per signature* (see ***Limit v. Maleng***), which encourages saying whatever is necessary to secure a signature. Your customers deserve to be given accurate unbiased information before making political decisions. Further, allowing these signature gatherers on your property may appear as an endorsement by your establishment of the initiative being promoted.

As the proprietor of a retail business in Washington state, you *have the right* to refuse service to anyone and to remove and trespass people from your property (see *RCW 9A.52.070, 9A.52.080 and 9A.52.105*).

Washington state case law allows for trespassing of petition signature gatherers

It's often misunderstood but petition signature gathering on private property *is not protected by the constitution*. Retail private property, such as grocery stores, are not "*public forums*". This was determined in ***Walmart v. Progressive Campaigns, Inc. 989 P.2d 524 (1999)*** which was decided on December 16, 1999.

The full text of the decision is available at the link below, or at the QR code to the right:

<https://law.justia.com/cases/washington/supreme-court/1999/67029-3-1.html>



Removing a signature gatherer

Removing a signature gatherer (sometimes called a "*circulator*") from your property is straightforward, just follow these steps:

- **Say** "*This is private property and signature gathering is not allowed here. I am instructing you to leave the premises immediately. You no longer have permission to remain here. If you refuse to leave, you will be trespassing as defined in Washington state law*".
 - **Do** give the circulator a moment to pack their things. If they stall, delay or refuse,
 - **Say** "*I have given you a lawful notice to leave. You are now remaining unlawfully. If you do not leave immediately law enforcement will be contacted for criminal trespass*".
 - **Do** give the circulator another moment, if they delay further or refuse,
 - **Say** "*You are now trespassing. I am contacting law enforcement*".
 - **Do** call the police non-emergency line (a partial list of agencies is provided below) and inform the dispatcher of the street address of your establishment, your name, a good number to call you back if you become disconnected, and that you are calling to get help with someone refusing to leave your property that is causing a disruption and who has been asked repeatedly to leave. You may also need to provide a description of the circulator, so be sure to gather that before calling if possible. If you can use security cameras to determine what vehicle they arrived in, this information may also help law enforcement.
- **Do** show the responding law enforcement this letter if they have any questions on the lawfulness of trespassing a signature gatherer.

Bellevue PD
(425)577-5656

Bellingham PD
(360)676-6911

Federal Way PD
(253)835-2121

Kent PD
(253)852-2121

King County
(206)296-3311

Olympia PD
(360)704-2740

Renton PD
(425)235-2121

Seattle PD
(206)625-5011

Spokane County
(509)456-2233

Tacoma PD
(253)287-4455

Vancouver PD
(360)693-3111

Yakima PD
(509)575-6200