



FACT SHEET | Center for Law & Justice

FACT SHEETS: ROGUE PROSECUTOR REMOVAL PROCESS

July 25, 2024

WHAT IS A ROGUE PROGRESSIVE PROSECUTOR?

Rogue progressive prosecutors are elected officials who see themselves more as political activists than as unbiased enforcers of the law. They routinely exercise their power to enforce the law selectively, based on their personal views, rather than applying it consistently and impartially as it is written.

ADDRESSING PUBLIC SAFETY IN THE FACE OF ROGUE PROGRESSIVE PROSECUTORS

The criminal justice system plays a pivotal role in maintaining the safety and security of our society and upholding the rule of law. Its primary function is to ensure that those who commit crimes are held accountable and that the public is protected from potential harm. However, in recent years, there has been a rise in the implementation of extreme progressive criminal justice policies such as cashless bail, broad decriminalization measures, and the reluctance to pursue charges against certain criminal offenders, all of which have become points of contention in the ongoing debate on public safety.

[Analyses](#) have shown that regions where these policies have been aggressively implemented have often seen corresponding spikes in crime rates. Though correlation does not necessarily imply causation, such trends warrant careful scrutiny and consideration.

PROCESSES FOR REMOVING ROGUE ELECTED PROSECUTORS

Every state differs in the methods provided for the discipline or removal of an elected official. Some states empower the executive branch with extensive authority to remove prosecutors, while others vest that power and authority in the people themselves. Unfortunately, only 25 states allow their citizens to be involved in holding their locally elected prosecutors accountable.

If citizens believe their elected prosecutors are not prioritizing the greater public interest, they should have the democratic right to seek remedies. The following pages summarize the state-specific mechanisms available to the public for holding these elected officials accountable. These mechanisms ensure that if the public believes elected prosecutors are not upholding the obligations of their office, especially regarding matters of public safety, there are remedies available. However, it's crucial to note that these remedies vary significantly from one state to another.

It is of paramount importance that any actions taken strictly follow local and state laws. Upholding the central tenets of democracy, including the rule of law and the rights of individuals, is essential in this endeavor.

To note: the following document relates to citizen recall rights as it specifically pertains to their locally elected prosecutors. Many states vest removal authority in other bodies such as the governor, legislature, or other statutorily constituted body.



ALABAMA

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** In Alabama, citizens cannot directly petition for the recall of their district attorney.
- ★ **To learn more about Alabama's recall laws, click [here](#)**

ALASKA

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** In Alaska, citizens cannot directly petition for the recall of their district attorney.
- ★ **To learn more about Alaska's recall laws, click [here](#)**

ARIZONA

- ★ **Name:** County Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their locally elected county attorney. The recall process to remove a county attorney consists of:
 - An individual or organization seeking to recall a rogue prosecutor must submit [a general statement online](#), explaining their intent to circulate said petition.
 - A petition cannot be started for a recall until the county attorney has been in office 6 months or more.
 - The petition must be submitted within 120 days of the application for the recall to be approved.
 - Once a recall petition is approved, organizers are required to obtain signatures from at least [25%](#) of registered voters in the jurisdiction in which the official was elected.
- ★ **To learn more information about Arizona's recall laws, click [here](#)**

ARKANSAS

- ★ **Name:** Prosecuting Attorney
- ★ **Citizen Recall:** In Arkansas, citizens cannot directly petition for the recall of their prosecuting attorney.
- ★ **To learn more about Arkansas' recall laws, click [here](#)**

CALIFORNIA

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their locally elected district attorney. The recall process to remove a district attorney consists of:
 - Filing a notice of intention, outlining the information of the official intended to face a recall
 - Obtaining a requisite number of signatures (30-50 signatures for jurisdictions with the number of registered voters being between 1,000-100,000 and >50 for jurisdictions with registered voters numbering greater than 100,000).
 - Once the notice of intent is filed, proponents must prepare a recall petition and have the petition signed by a requisite number of citizens, again, based on the number of registered voters: 30% if the number of registered voters is <1,000; 25% if between 1,000-10,000; 20% if between 10,000-50,000; 15% if between 50,000-100,000; and 10% if > 100,000.
- ★ **To learn more information about California's recall laws, click [here](#)**

COLORADO

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their locally elected district attorney. The recall process to remove an elected prosecutor is outlined in [Section 1, Article 1](#) of Colorado's Constitution. The recall process to remove a district attorney consists of:
 - A recall petition must be filed with the Secretary of State's office in which nomination petitions are filed for the official that is being recalled and must contain a minimum 200-word statement outlining the reasons for the recall.
 - Once approved, the recall petition must contain a requisite number of signatures from within the officer's district. The number of signatures must equal 25% of the votes cast in the prosecutor's district.
 - Any signatures obtained must be dated no later than 60 days from the filing of the petition.
 - If approved, a recall election will be held between 30-60 days, unless a general election is scheduled to be held within 90 days, at which point the recall election would be held concurrently.
- ★ **To learn more about Colorado's recall laws, click [here](#)**

CONNECTICUT

- ★ **Name:** State Attorney
- ★ **Citizen Recall:** In Connecticut, citizens cannot directly petition for the recall of their state attorney.
- ★ **To learn more information about Connecticut's recall laws, click [here](#)**

DELAWARE

- ★ **Name:** Local Prosecutors
- ★ **Citizen Recall:** In Delaware, citizens cannot directly petition for the recall of their local prosecutor.
- ★ **To learn more information about Delaware's recall laws, click [here](#)**

FLORIDA

- ★ **Name:** State Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their locally elected state attorney. According to [Florida Statute Annotated 100.36\(1\)](#), "Any member of the governing body of a municipality or charter county, may be removed from office." The recall process to remove a state attorney consists of:
 - A recall cannot begin until the targeted official has served at least one-fourth of his or her term in office.
 - For citizens to petition a prosecutorial recall the signature requirement varies based on the number of registered voters in the jurisdiction. For instance, 50 signatures or 10% if <500; 100 signatures or 10% if between 500-1,999; 250 signatures or 10% if between 2,000-4,999; 500 signatures or 10% if between 5,000-9,999; 1,000 signatures or 10% if between 10,000-24,999; and 1,000 signatures or 5% if > 25,000.
 - From the time that the recall petition is [approved for circulation](#), signatures must be collected within 30 days.
- ★ **To learn more information about Florida's recall laws, click [here](#)**

GEORGIA

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** In Georgia, citizens cannot directly petition for the recall of their district attorney.



- ★ To learn more about Georgia's recall laws, click [here](#)

HAWAII

- ★ **Name:** Prosecuting Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their locally elected prosecuting attorney. Hawaii has specific steps outlined in its [county charters](#). The number of signatures required by each county varies:
 - Hawaii County: 25% of the total valid votes cast for the office subject to the recall petition in the last election is required.
 - Kalawao, Kauai, or Maui Counties: The petition must be signed by current registered voters, at least 20% from the last general election.
 - Honolulu County: at least 10% of the total number of voters in the county is required.
- ★ To learn more about Hawaii County's recall laws, please click [here](#)
- ★ To learn more about Maui County & Kalawao County's recall laws, please click [here](#)
- ★ To learn more about Kauai County's recall laws, click [here](#)
- ★ To learn more about Honolulu County's recall laws, click [here](#)

IDAHO

- ★ **Name:** Prosecuting Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their locally elected prosecuting attorney. The recall process to remove a prosecuting attorney consists of:
 - A recall election requires at least 20% of the number of electors registered to vote at the time of the last general election held in the county where the prosecuting attorney in question is being petitioned to recall.
 - The petition must be completed within 75 days of receiving the form. In Idaho, the governor appoints a successor, if the official is recalled. This successor must be a member of the same political party and must be selected from a list submitted by a committee.
- ★ To learn more information about Idaho's recall laws, click [here](#)

ILLINOIS

- ★ **Name:** State Attorney
- ★ **Citizen Recall:** In Illinois, citizens cannot directly petition for the recall of their state attorney.
- ★ To learn more information about Illinois' recall laws, click [here](#)

INDIANA

- ★ **Name:** Prosecuting Attorney
- ★ **Citizen Recall:** In Indiana, citizens cannot directly petition for the recall of their prosecuting attorney.
- ★ To learn more information about Indiana's recall laws, click [here](#)

IOWA

- ★ **Name:** County Attorney
- ★ **Citizen Recall:** In Iowa, citizens cannot directly petition for the recall of their county attorney.
- ★ To learn more about Iowa's recall laws, click [here](#)



KANSAS

- ★ **Name:** County Attorney & District Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their locally elected county/district attorney. The recall process to remove a county/district attorney consists of:
 - A recall election requires at least 40% of the vote total from the last general election for the current term of office of the county attorney being targeted.
 - The countdown begins after the county clerk has verified the grounds for the proposed recall petition.
 - The recall petition has 90 days in which it can be circulated for signatures.
 - A recall election is held no sooner than 60 days and no later than 90 days after signatures are certified by the county clerk.
- ★ **For more information about Kansas' recall laws, click [here](#)**

KENTUCKY

- ★ **Name:** Commonwealth Attorney
- ★ **Citizen Recall:** In Kentucky, citizens cannot directly petition for the recall of their commonwealth attorney.
- ★ **To learn more about Kentucky's recall laws, click [here](#)**

LOUISIANA

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their locally elected district attorney. Because there are many rural areas in Louisiana, the percentage of the signature requirement is based on the number of people in the proposed recall member's district. The recall process to remove a district attorney consists of:
 - For instance, 100,000 or more eligible voters = 20% of signatures needed in the district; 25,000 or more, but less than 100,000 eligible voters = 25% of signatures in the district; over 1,000 eligible voters but less than 25,000 = 33.3% of eligible voters in the district; < 1,000 eligible voters = 40% of eligible voters in the district.
 - The completed petition is submitted to the Registrar(s) of Voters no later than 180 days after being filed with the Secretary of State.
 - The Registrar of Voters shall then certify the recall petition within 15 business days after it is presented, or 20 business days after it is presented if the voting area contains more than 50,000 registered voters.
 - Finally, the petition is forwarded to the Governor where he/she issues an election proclamation within 15 days after receiving the certified petition.
- ★ **To learn more about Louisiana's recall laws, click [here](#)**

MAINE

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** Maine leaves their recall ability up to individual jurisdictions. Therefore, while there is not a state overall recall ability, some of Maine's counties do allow a recall petition for district attorneys.
- ★ **To learn more information about what jurisdictions in Maine offer recall ability, click [here](#)**

MARYLAND

- ★ **Name:** State Attorney



- ★ **Citizen Recall:** In Maryland, citizens cannot directly petition for the recall of their state attorney.
- ★ **To learn more information about Maryland's recall laws, click [here](#)**

MASSACHUSETTS

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** Massachusetts leaves their recall ability up to the individual jurisdiction. Therefore, while there is not a state overall recall ability, some of Maine's counties do allow a recall petition for district attorneys.
- ★ **To learn more information about what jurisdictions in Massachusetts offer recall ability, click [here](#)**

MICHIGAN

- ★ **Name:** Prosecuting Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their locally elected prosecuting attorney. The recall process to remove a prosecuting attorney consists of:
 - Filing a recall petition request, specifying the factual basis for the recall and the intended official, to be reviewed by the Board of State Canvassers for factuality and clarity.
 - Any signatures obtained must be dated no later than 60 days from the filing of the petition.
 - Michigan election law states that a recall petition should not be filed in the first or the last 6 months of a prosecutor's term in office if the term is for two years; or the first or last year of a prosecutor's term if it's four years.
 - Once approved, the recall petition must be submitted to the Secretary of State's office within 180 days.
 - It must contain a requisite number of signatures from within the officer's district (according to [Michigan election law](#), "25% of the votes cast in the prosecutor's district for all candidates for the office of Governor in the last gubernatorial election").
- ★ **To learn more information about Michigan's recall laws, click [here](#)**

MINNESOTA

- ★ **Name:** County Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their locally elected county attorney. The recall process to remove an elected official is outlined in [Section 6, Article 8](#) of the Minnesota Constitution. The recall process to remove a county attorney consists of:
 - According to [Ballotpedia](#), a "proposed recall petition" must be filed with the Minnesota Secretary of State outlining the reasons for removal of the prosecutor.
 - Those seeking to recall an official will have 90 days to obtain the requisite signatures, which must equal 25% of the votes cast in the county attorney's district during the previous election for the county attorney's position.
 - Once submitted, the signatures will be reviewed by the Minnesota Secretary of State's office and subsequently by the Minnesota Supreme Court, at which time the Court has 10 days to decide if the recall petition meets the necessary grounds to move forward.
- ★ **To learn more information about Minnesota's recall laws, click [here](#)**

MISSISSIPPI

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** In Mississippi, citizens cannot directly petition for the recall of their district attorney.



- ★ To learn more information about Mississippi's recall laws, click [here](#)

MISSOURI

- ★ **Name:** Prosecuting Attorney (St. Louis city's prosecutor is known as a Circuit Attorney)
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their locally elected prosecuting attorney. The recall process to remove a prosecuting attorney consists of:
 - A recall petition may not commence during the first 6 months in office. Grounds for a recall petition must be stated by including any misconduct in office, incompetence, or failure to perform duties prescribed by law.
 - Signatures must equal 25% of the registered voters in the county.
 - The petition can be circulated up to 60 days before having to file it with the Secretary of State where they will determine if the petition meets the requirements for a recall election.
- ★ To learn more information about Missouri's recall laws, click [here](#)

MONTANA

- ★ **Name:** County Attorney
- ★ **Citizen Recall:** Montana leaves their recall ability up to the individual jurisdiction. Therefore, while there is not a state overall recall ability, most of Montana's counties do allow a recall petition for county attorneys.
- ★ To learn more about what jurisdictions in Montana allow recall ability, click [here](#)

NEBRASKA

- ★ **Name:** County Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their locally elected county attorney. The recall of local elected government officials in Nebraska is governed by the [Nebraska Revised Statute 32-1303](#). The recall process to remove a county attorney consists of:
 - The decision for petitioning a county attorney must be stated in writing.
 - Each jurisdiction is different, but a majority of offices require signatures equal to 35% of the total vote cast for that office in the last general election.
 - Petition signatures must be filed within 30 days of the filing clerk issuing the petitions. The filing clerk shall notify the official sought to be removed by any method specified in [Section 25-505.01](#) of Nebraska's Constitution.
 - Within 15 business days after the filing of the petition, the filing clerk shall ascertain whether or not the petition is signed by the requisite number of registered voters. If the recall petition is found to be sufficient, the filing clerk shall notify the official whose removal is sought and the voters who petitioned.
 - Finally, the clerk has 21 days to schedule a recall election date.
- ★ To learn more information about Nebraska's recall laws, click [here](#)

NEVADA

- ★ **Name:** County Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their locally elected county attorney. The recall process to remove a county attorney consists of:
 - A qualified petitioner filing a recall petition with the "official with whom the officeholder being recalled filed a declaration or acceptance of candidacy."
 - A recall petition can only be sought against an officer after he/she has served at least 6 months in their current term.



- Once approved, the recall petition must be submitted back to the original filing officer within 90 days of filing.
- It must contain a requisite number of signatures from within the officer's district and according to [Ballotpedia](#), 25% of the voters who cast a ballot in the previous race for which the officer was elected and who is now subject to recall.
- If approved, a recall election will usually take place within 30 days of the filing officer's call for a new election.

★ **To learn more information about Nevada's recall laws, click [here](#)**

NEW HAMPSHIRE

- ★ **Name:** County Attorney
- ★ **Citizen Recall:** In New Hampshire, citizens cannot directly petition for the recall of their county attorney.
- ★ **To learn more information about New Hampshire's recall laws, click [here](#)**

NEW JERSEY

- ★ **Name:** County Prosecutor
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their locally elected county prosecutor. The recall process to remove a county prosecutor consists of:
 - A recall petition requires no more than 200 words for the desired recall petition.
 - Signatures must equal at least 25% of the citizens registered to vote in that jurisdiction from the date of the last general election. An elected official cannot be recalled before they've served at least 6 months.
 - Once given the petition, citizens have 160 days to collect the appropriate number of signatures.
 - The election official reviewing the petition will then certify the number of signatures and determine the validity within 10 days. If the petition is accepted, the election official will schedule the recall election.
- ★ **To learn more information about New Jersey's recall laws, click [here](#)**

NEW MEXICO

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their locally elected district attorney. The recall of local county officials in the state is authorized in [9 of Article 10](#) of New Mexico's Constitution. The recall process to remove a district attorney consists of:
 - Legal grounds for a recall are "malfeasance or misfeasance in office or violation of the oath of office by the official concerned." The acts cited as grounds must have taken place during the elected official's current term in office.
 - Signatures equaling 33.3% of the number of voters who voted in the last election for the office held by the recall target are required to force a recall election.
 - An election cannot be conducted after May 1 in a calendar year in which an election is to be held for the office subject to the proposed recall.
- ★ **To learn more information about New Mexico's recall laws, click [here](#)**

NEW YORK

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** In New York, citizens cannot directly petition for the recall of their district attorney.



- ★ To learn more information about New York's recall laws, click [here](#)

NORTH CAROLINA

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** North Carolina leaves their recall ability up to individual jurisdictions. Therefore, while there is not a state overall recall ability, most of North Carolina's counties do allow a recall petition for district attorneys. The recall process to remove a district attorney consists of:
 - Filing with the clerk of the superior court of the county where the DA serves.
 - After filing, a sworn affidavit charging the DA with one or more grounds for removal, a clerk will immediately bring it to the attention of a superior court judge for further investigation.
- ★ To learn more about what jurisdictions in North Carolina allow recall ability, click [here](#)

NORTH DAKOTA

- ★ **Name:** State Attorney
- ★ **Citizen Recall:** North Dakota leaves their recall ability up to individual jurisdictions. Therefore, while there is not a state overall recall ability, most of North Dakota's counties do allow a recall petition for state attorneys. The recall process to remove a state attorney consists of:
 - First, a request for a recall petition must be filed with the secretary of state. Every recall petition must have a sponsoring committee of five individuals and a chairman. The secretary of state will print signature forms to be distributed.
 - According to [North Dakota's Constitution](#), to recall a state attorney, only citizens who voted in the preceding election for the office of governor in the electoral district of the state attorney being recalled are able to petition a recall election.
 - Citizens have one year to collect the necessary number of signatures (this will be different in each jurisdiction).
 - The secretary of state has 30 days to consider whether the petition is considered valid. To do this, they randomly sample signatures for validity.
 - Once the petition is considered valid, the secretary of state must put the recall on the election ballot after a 10-day waiting period in which the state attorney has the option of resigning.
- ★ To learn more about what jurisdictions in North Dakota allow recall ability, click [here](#)

OHIO

- ★ **Name:** Prosecuting Attorney
- ★ **Citizen Recall:** Ohio leaves their recall ability up to individual jurisdictions. Therefore, while there is not a state overall recall ability, some of Ohio's counties do allow a recall petition for prosecuting attorneys. The recall process to remove a prosecuting attorney consists of:
 - Articulating the reason for willful neglect of duty or gross misconduct in office that has allegedly occurred, in writing.
 - One or more citizens are required to sign the document, supported by an affidavit, and filed into the specific county [court of common pleas](#).
 - The court will then [assign](#) a hearing to investigate the evidence. If it appears the prosecuting attorney has willfully neglected to perform his/her duties, the court shall remove them from the office and declare the office vacant.
- ★ To learn more information about Ohio's recall laws, click [here](#)

OKLAHOMA

- ★ **Name:** District Attorney



- ★ **Citizen Recall:** In Oklahoma, citizens cannot directly petition for the recall of their district attorney.
- ★ **To learn more information about Oklahoma's recall laws, click [here](#)**

OREGON

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their locally elected district attorney. The recall process to remove a district attorney consists of:
 - There must first be a chief petitioner who files a prospective petition with the appropriate district attorney's information and reason why there's a desire for a recall election.
 - The form may be submitted in person, by mail, by fax, or as an attachment by email.
 - After the prospective petition form is approved, a petition committee is then created to review the required information.
 - After the committee approves the preliminary information, signatures can be gathered.
 - The committee then verifies the signatures and if verified the official called into question will have 5 days to resign.
 - If the district attorney being recalled does not resign then a recall election is scheduled.
- ★ **To learn more information about Oregon's recall laws, click [here](#)**

PENNSYLVANIA

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** In Pennsylvania, citizens cannot directly petition for the recall of their district attorney.
- ★ **To learn more information about Pennsylvania's recall laws, click [here](#)**

RHODE ISLAND

- ★ **Name:** Attorney General
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their attorney general. The state of Rhode Island has its attorney general handle all of their prosecutions due to how small the state is, with only five counties. The recall process to remove the attorney general consists of:
 - The petition must include an explanatory statement of no more than 100 words on why a recall election is necessary.
 - As outlined in Rhode Island's Constitution, a recall petition must be obtained from the state board of elections with signatures equaling 3% of votes cast from the last election before a recall petition can be given out.
 - After the signatures for the recall petition itself are deemed valid, citizens must then collect signatures equal in number to 15% of the votes cast in the last election. Petitioners have 90 days to gather enough signatures.
 - Once the signatures are verified by the state board of election, a date for the recall election will be set. If the majority of voters vote for the recall of the attorney general, then the office will be declared vacant, and a separate election will take place.
- ★ **To learn more about Rhode Island's recall laws, click [here](#)**

SOUTH CAROLINA

- ★ **Name:** Circuit Solicitor
- ★ **Citizen Recall:** In South Carolina, citizens cannot directly petition for the recall of their circuit solicitor.



- ★ To learn more information about South Carolina's recall laws, click [here](#)

SOUTH DAKOTA

- ★ **Name:** State Attorney
- ★ **Citizen Recall:** In South Dakota, citizens cannot directly petition for the recall of their state attorney.
- ★ To learn more information about South Dakota's recall laws, click [here](#)

TENNESSEE

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their local district attorney. The recall process to remove a district attorney consists of:
 - According to [§6-53-108](#), the recall petition must “contain one or more specific grounds for removal,” but there is no statement as to what constitutes as acceptable grounds.
 - According to [§2-5-151](#), “petitions shall be signed by at least 15% of those registered to vote in the municipality or county.
 - Completed petitions shall be filed with the county election commission within 75 days after the county election commission's final certification [of the form of the recall petition].”
 - The county election commission shall certify whether or not the completed petition meets all applicable requirements within 30 days of filing of the completed petition.
 - Recall elections can't be scheduled in the period of 90 days before or 90 days after a regularly scheduled municipal election.
- ★ To learn more information about Tennessee's recall laws, click [here](#)

TEXAS

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their local district attorney. The recall process to remove a district attorney consists of:
 - An elected DA may be removed from office for incompetency, official misconduct, or intoxication of alcohol or drugs.
 - To start the removal process, any resident of Texas who has lived for at least 6 months in the county can file a petition to remove a district attorney.
 - The petition must be written and sworn to by one or more residents that file.
 - It must be submitted in the district court of the county in which the officer resides, or the county where the alleged cause of removal occurred, if that county is in the DA's judicial district.
 - The petition will be assigned to the district judge in order to determine whether the complaint/petition has credible evidence.
- ★ To learn more information about Texas' recall laws, click [here](#)

UTAH

- ★ **Name:** County Attorney
- ★ **Citizen Recall:** In Utah, citizens cannot directly petition for the recall of their county attorney.
- ★ To learn more information about Utah's recall laws, click [here](#)

VERMONT



- ★ **Name:** State Attorney
- ★ **Citizen Recall:** In Vermont, citizens cannot directly petition for the recall of their state attorney.
- ★ **To learn more information about Vermont's recall laws, click [here](#)**

VIRGINIA

- ★ **Name:** Commonwealth Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their local commonwealth attorney. Virginia law allows for the recall of commonwealth attorneys for “misuse of office, neglect of duty, and incompetence in performance.” The recall process to remove a county attorney consists of:
 - Citizens must collect enough signatures equal to 10% of the votes cast in the last election.
 - After enough signatures have been met, the petition is sent to the circuit court, where a judge gives her/his decision on the removal, and a special election is scheduled to elect the commonwealth attorney's replacement.
- ★ **To learn more information about Virginia's recall laws, click [here](#)**

WASHINGTON

- ★ **Name:** Prosecuting Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their local prosecuting attorney. The recall process to remove a prosecuting attorney consists of:
 - Washington allows the following grounds for recall: malfeasance or misfeasance while in office or violating the oath of office.
 - Before a recall petition can collect signatures, the grounds for recall must be considered by a superior court judge. If the judge rules that the grounds for recall meet the state requirements, the petition will be approved for circulation.
 - Citizens must collect signatures equal to 25% of the votes cast for the office at the last election.
 - Signatures must be collected within 180 days and once the petition is deemed legitimate a recall election shall be scheduled.
- ★ **To learn more information about Washington's recall laws, click [here](#)**

WEST VIRGINIA

- ★ **Name:** Prosecuting Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their local prosecuting attorney. Under section [WV Code §8-12-4](#) in West Virginia's Constitution, it does not mention any specific grounds that must be alleged or proved in order to move forward with a recall campaign. The recall process to remove a prosecuting attorney consists of:
 - According to [WV Code §8-12-4\(3\)](#), 20% of the qualified voters of the relevant jurisdiction must sign a petition to trigger a recall election.
 - There are no deadline restraints to submit a petition and/or collect signatures.
 - Once the county clerk deems the petition legitimate, they will schedule a recall election.
- ★ **To learn more information about West Virginia's recall laws, click [here](#)**

WISCONSIN

- ★ **Name:** District Attorney
- ★ **Citizen Recall:** Citizens have the right to initiate a recall of their local district attorney. A recall petition can only be sought against a DA after he/she has served at least one year in their current term. The recall process to remove a district attorney consists of:



- Obtaining signatures equaling 25% of registered voters that voted in the last gubernatorial election from within the DA's district.
 - Any signatures obtained must be dated no later than 60 days from the filing of the petition.
 - Once approved, the recall petition must be submitted back to the original filing officer.
- ★ **To learn more information about Wisconsin's recall laws, click [here](#)**

WYOMING

- ★ **Name:** County Attorney
 - ★ **Citizen Recall:** Citizens have the right to initiate a recall of their local county attorney. The recall process to remove a county attorney consists of:
 - Describe the reason why a petition to remove a county attorney is necessary
 - Signatures must equal 25% of all registered electors in the relevant county must be gathered and submitted, though, there's no timeframe or deadline requested.
 - The clerk of the relevant county will then inspect them for legitimacy within 10 days from the date the petition was submitted.
 - If the clerk determines in those 10 days that the signatures are sufficient, the governing body of the county is to be notified "without delay."
 - The governing body is then required to set a date for the recall election that is "no less than 30 days no more than 41 days from the date of the clerk's certificate of sufficiency."
- ★ **To learn more information about Wyoming's recall laws, click [here](#)**

