November 6, 2026

VIA ELECTRONIC AND CERTIFIED MAIL

The Honorable Shirley N. Weber, Ph.D.
Secretary of State of California
Elections Division
1500 11th Street, 5th Floor
Sacramento, California 95814

COPY TO:
The Honorable Rob Bonta
Attorney General of California
California Department of Justice
1300 I Street
Sacramento, California 95814

RE: FORMAL PETITION SEEKING DISQUALIFICATION OF THE CALIFORNIA REPUBLICAN PARTY PURSUANT TO CALIFORNIA ELECTIONS CODE §§ 5102, 5154, AND 5200, AND REQUEST FOR EXPEDITED DETERMINATION

Dear Secretary Weber:

The undersigned hereby petitions the California Secretary of State, acting with the advice and consent of the Attorney General pursuant to Elections Code § 5200, to determine whether the California Republican Party has engaged in activities prohibited by Elections Code §§ 5102 and 5154 and, upon the required findings, to disqualify the party from participation in the applicable future California elections.

This petition alleges that the public conduct of identified California Republican officials, together with their support for contested exercises of federal military authority within California, presents substantial questions concerning indirect advocacy, justification, endorsement, and organizational support for activities within the statutory prohibitions.

The petition particularly concerns the public response of Republican officials to President Donald Trump's October 5, 2026, statements concerning potential Iranian attacks against Los Angeles and San Diego, together with documented support by prominent Republican legislators for federal military intervention within California.

The petitioner asserts that these circumstances warrant the immediate exercise of the Secretary's disqualification authority, an investigation of the California Republican Party's organizational responsibility, and issuance of the notice prescribed by § 5200 if the evidence establishes a qualifying statutory violation.

I. STATUTORY BASIS FOR DISQUALIFICATION

California Elections Code § 5102 expressly prohibits political-party qualification when the party directly or indirectly engages in specified activities against the government of the United States or California.

The statute encompasses carrying on, advocating, teaching, justifying, aiding, or abetting the unlawful overthrow of government or a program of sabotage, force and violence, sedition, or treason.

Elections Code § 5154 establishes a corresponding prohibition regarding presidential general elections.

These provisions expressly encompass indirect conduct. They therefore permit examination of organizational actions beyond formal party resolutions, including conduct attributable to authorized officers, governing bodies, and agents.

Section 5200 assigns the determination of disqualification to the Secretary of State, acting with the Attorney General's advice and consent.

The petitioner seeks application of these provisions to the specific activities alleged below, subject to the statutory requirements and controlling constitutional limitations.

II. THE OCTOBER 5, 2026, STATEMENTS CONCERNING LOS ANGELES AND SAN DIEGO

On October 5, 2026, President Donald Trump addressed a political rally in Grand Island, Nebraska, during which he discussed the ongoing conflict involving Iran.

In discussing the potential threat posed by Iran and the economic costs of the war, the President referred to the possible destruction of Los Angeles and San Diego.

His remarks included the statement:

“Let 'em take out Los Angeles, let 'em take out San Diego.”

The remarks prompted widespread concern among California officials.

Governor Gavin Newsom characterized the President's statements as dangerous and directed heightened attention to potential threats against California.

Los Angeles Mayor Karen Bass and San Diego Mayor Todd Gloria also publicly objected.

The statements were particularly consequential because they concerned two major American cities, substantial civilian populations, and an area containing strategically important military facilities.

Their significance to this petition arises from the potential relationship between such statements, their public interpretation, and subsequent actions by officials of the California Republican Party.

The petitioner alleges that the conduct of party officials responding to these statements warrants examination under the statutory prohibition against organizational justification, advocacy, or assistance concerning specified unlawful activities.

The requisite determination concerns whether the statements and organizational conduct, properly understood in context, satisfy the prohibited categories established by the Elections Code.

III. SPECIFIC ACTS AND STATEMENTS SUPPORTING THE PETITION

A. Conduct of Paula Whitsell, Chair of the San Diego County Republican Party

On October 6, 2026, Paula Whitsell, chair of the Republican Party of San Diego County, publicly defended President Trump's October 5 remarks.

Contemporaneous reporting by The Guardian documented her criticism of news coverage and her argument that the President's remarks had been taken out of context.

Whitsell defended the President's position concerning Iran and disputed the interpretation that he wanted an attack against American cities.

The petitioner identifies this public intervention by a county Republican Party chairperson as an official-capacity response warranting examination.

Her statements provide a factual basis for investigating whether the California Republican Party, through its affiliated organizations or authorized leadership, endorsed or ratified any conduct falling within §§ 5102 or 5154.

The petitioner specifically alleges the possibility of indirect organizational justification or ratification and requests findings concerning the extent of Whitsell's authority, the organizational origin of her statements, and any subsequent adoption by the state party.

Her actual words, however, must be evaluated as spoken. The reported defense that Trump did not want American cities attacked does not itself constitute an express endorsement of such an attack.

B. Support by California Republican Legislative Leaders for Federal Military Intervention

In June 2025, President Trump federalized California National Guard personnel and deployed military forces into Los Angeles despite objections from Governor Gavin Newsom and other state officials.

The deployment prompted substantial litigation concerning federal authority, state sovereignty, and the permissible domestic use of military forces.

On June 18, 2025, CalMatters reported that six California Republican legislators who responded to its inquiries supported the President's deployment.

The identified officials included Assembly Republican Leader James Gallagher, Assemblymember Jeff Gonzalez, Senator Steven Choi, and Senator Tony Strickland.

Gallagher defended federal intervention in response to perceived failures of California leadership.

Gonzalez similarly argued that federal officials had intervened where California authorities had failed to act.

Choi defended the use of federal authority to protect immigration personnel and federal property.

Strickland defended the deployment through reference to historical precedent and the asserted need to prevent further violence.

The petitioner identifies these statements as evidence of support by prominent Republican officeholders for federal military action undertaken over the objections of California's elected state leadership.

The petitioner further alleges that this conduct raises questions concerning whether any California Republican Party authority knowingly assisted, directed, or ratified organizational participation in unlawful military activity.

This allegation requires examination of the specific legal status of the deployment and of the extent to which any actions attributable to the state party went beyond political endorsement.

The petitioner does not contend that support for a federal deployment, without more, constitutes sedition or treason.

Rather, the petitioner requests investigation of whether organizational conduct connected to the deployment satisfied the specific prohibitions against aiding or abetting a qualifying program of force and violence.

C. Potential Organizational Ratification by the California Republican Party

The California Republican Party is a recognized statewide political organization whose official leadership includes Chairwoman Corrin Rankin.

The party's organizational structure provides mechanisms through which state and local party positions may be adopted, disseminated, endorsed, or ratified.

The petitioner alleges that any formal authorization, adoption, or ratification of qualifying prohibited conduct by the state party would be relevant under the direct and indirect liability language contained in §§ 5102 and 5154.

Accordingly, the petitioner requests that the Secretary of State review available party resolutions, executive committee records, official communications, public statements, and lawfully obtainable financial disclosures, using any lawful investigative authority independently available to the Secretary.

The inquiry should specifically determine whether the California Republican Party authorized or materially assisted conduct independently satisfying the statutory prohibition.

The petitioner further requests review of any lawfully available communications connecting statewide party authorities with county-party leadership or legislative officials concerning the particular incidents identified in this petition.

D. Collective Significance of the Alleged Activities

The petitioner submits that the documented incidents should be considered together in evaluating whether the California Republican Party engaged in a relevant organizational course of conduct.

The incidents involve public defense of the President's remarks concerning potential attacks against California cities and support for federal military intervention undertaken over the objections of California's government.

These circumstances provide the basis for a targeted inquiry into whether the state party engaged in conduct amounting to prohibited organizational advocacy, justification, assistance, or participation.

The petitioner requests findings addressing the relationship, if any, between the separate incidents and identifying whether an organizational program prohibited by law existed.

The incidents cannot establish a prohibited organizational program merely through their accumulation. The necessary statutory connection and organizational responsibility must be established by competent evidence.

IV. CLAIMS OF STATUTORY DISQUALIFICATION

The petitioner presents the following claims for determination.

Claim One. Indirect Justification of Prohibited Activity

The petitioner alleges that statements by identified Republican Party officials warrant examination as potential organizational justification of activities prohibited by Elections Code §§ 5102 and 5154.

This claim rests upon the documented statements described in Section III and any additional evidence establishing that the California Republican Party authorized or ratified justification of a qualifying unlawful activity.

The petitioner requests a finding whether the statements, in their proper context and when legally attributable to the state party, satisfy this statutory category.

Claim Two. Organizational Assistance or Ratification

The petitioner alleges that official party participation in, authorization of, or material assistance to unlawful activity could constitute indirect aiding or abetting within the meaning of §§ 5102 and 5154.

The petitioner requests review of lawfully available party directives, expenditures, organizational communications, and other evidence capable of establishing knowing participation in the particular unlawful activities identified by the statute.

The documented expressions of political support described in Section III establish grounds for inquiry but do not independently establish material assistance.

Claim Three. Participation in a Prohibited Program of Force and Violence

The petitioner alleges that organizational participation in an unlawful program of force and violence directed against the government of California or the United States would constitute grounds for disqualification.

The June 2025 deployment and related political endorsements warrant examination insofar as any associated state-party conduct may have advanced such a program.

The petitioner requests that the Secretary of State determine whether the relevant activities were unlawful, whether they constituted a prohibited program within the statute, and whether conduct attributable to the California Republican Party satisfied the participation or assistance requirement.

Claim Four. Disqualification Pursuant to Section 5200

If the Secretary of State determines, with the Attorney General's advice and consent, that the California Republican Party engaged in any conduct prohibited by §§ 5102 or 5154, the petitioner requests immediate initiation of the disqualification procedures established by § 5200.

The petitioner seeks the resulting disqualification for the applicable elections, subject to the statutory notice provisions and judicial review.

V. GOVERNING CONSTITUTIONAL STANDARDS

The petitioner recognizes that political parties, candidates, and voters possess constitutionally protected rights of expression and association.

Nevertheless, political-party qualification remains subject to otherwise constitutional statutory requirements.

The California Supreme Court examined earlier party-disqualification legislation in Communist Party v. Peek, 20 Cal. 2d 536 (1942).

Subsequent federal constitutional decisions, including Brandenburg v. Ohio, 395 U.S. 444 (1969), and Communist Party of Indiana v. Whitcomb, 414 U.S. 441 (1974), impose substantial limitations upon restrictions based upon political advocacy and association.

The petitioner seeks findings that satisfy these controlling constitutional requirements.

In particular, the petitioner requests examination of actual organizational participation in prohibited activity rather than reliance upon political belief, affiliation, or abstract advocacy alone.

VI. EXPEDITED DETERMINATION REQUIRED BY SECTION 5200

Elections Code § 5200(a), as amended effective January 1, 2026, requires the Secretary of State, with the Attorney General's advice and consent, to determine disqualification not less than 123 days before the applicable primary or presidential general election.

For a party qualified in the preceding direct primary, the statute requires service of a notice of intention to disqualify upon the state central committee chairperson by certified mail and the prescribed publication of notice.

Section 5200(b) establishes the affected party's opportunity to seek review before the California Supreme Court.

The statutory scheme therefore provides both an administrative mechanism for disqualification and procedures protecting the affected party's opportunity for judicial review.

The petitioner requests an expedited determination, consistent with the applicable statutory election calendar, recognizing that the 123-day requirement does not independently establish an immediate November 2026 determination deadline.

VII. FORMAL REQUEST FOR RELIEF

The petitioner respectfully requests the following relief:

1. Acceptance and immediate consideration of this petition as a formal application seeking disqualification of the California Republican Party pursuant to Elections Code §§ 5102, 5154, and 5200.

2. Prompt consultation with the Attorney General and examination of the documented statements and activities identified herein.

3. Formal findings concerning whether the state party engaged in indirect justification, advocacy, assistance, ratification, or participation in a prohibited statutory activity.

4. Review of lawfully available records sufficient to determine whether the identified individual and county-party conduct is legally attributable to the California Republican Party.

5. If the requisite evidence establishes a violation, issuance of a notice of intention to disqualify the California Republican Party under § 5200(a).

6. Completion of the ensuing statutory process, including the required notice and opportunity for judicial review.

7. Final disqualification from participation in the applicable elections if the statutory and constitutional requirements are satisfied.

8. A written determination identifying the evidence considered, the statutory findings made, and the basis for any refusal to initiate disqualification proceedings.

The petitioner requests written acknowledgment within five business days and an initial substantive response within fifteen business days. These requested response periods do not replace the statutory deadlines.

VIII. CONCLUSION AND DEMAND FOR STATUTORY ACTION

California law expressly provides for political-party disqualification when an organization engages in the conduct prohibited by Elections Code §§ 5102 and 5154.

Those provisions must be applied according to their terms and without partisan exemption.

The public statements and activities identified in this petition raise substantial issues concerning the California Republican Party's organizational actions and its potential responsibility for conduct falling within the statutory prohibitions.

The petitioner requests immediate exercise of the Secretary of State's statutory authority to examine those allegations, determine the existence of a qualifying violation, and disqualify the party upon the necessary findings.

We respectfully request prompt action and a written disposition.

Respectfully submitted,

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Marcus Ruiz Evans
Founder, CalExitNow
Date: November 6, 2026

PROPOSED SUPPORTING EXHIBITS

Exhibit A. Full recording and transcript of President Donald Trump's October 5, 2026, Grand Island, Nebraska, remarks.
Exhibit B. Los Angeles Times, October 5, 2026. Reporting on Trump's references to Los Angeles and San Diego.
Exhibit C. The Guardian, October 6, 2026. Reporting on Paula Whitsell and other responses to Trump's remarks.
Exhibit D. CalMatters, Yue Stella Yu, June 18, 2025. Reporting on California Republican legislators' support for federal military deployment in Los Angeles.
Exhibit E. California Secretary of State. Official list of qualified political parties and their officers, identifying Corrin Rankin as chairwoman of the California Republican Party.
Exhibit F. California Elections Code §§ 5102, 5154, and 5200.
Exhibit G. Authenticated documents concerning additional organizational conduct, if obtained.

PRINCIPAL LEGAL AUTHORITIES

California Elections Code § 5102.
California Elections Code § 5154.
California Elections Code § 5200, as amended effective January 1, 2026.
Communist Party v. Peek, 20 Cal. 2d 536 (1942).
Brandenburg v. Ohio, 395 U.S. 444 (1969).
Communist Party of Indiana v. Whitcomb, 414 U.S. 441 (1974).

CONSOLIDATED SOURCE EXHIBITS AND LEGAL AUTHORITIES

Attachment to the Petition for Disqualification of the California Republican Party

Petitioner: Marcus Ruiz Evans, Founder, CalExitNow | November 6, 2026

Submitted to the California Secretary of State | Copy to the California Attorney General

Source documentation and exhibit register

This consolidated document supplies the identifying information, evidentiary purpose, and direct electronic location of every source listed as Exhibits A–G and of the petition's three cited judicial authorities. Hyperlinks open original records for printing. News articles and third-party transcripts are identified and summarized rather than reproduced in full. No party resolution or expenditure proving a disqualifying offense has been authenticated within these sources.

EXHIBIT A | Presidential remarks

A-1. Roll Call Factba.se, full rally transcript

Donald J. Trump, midterm political rally, Grand Island, Nebraska, October 5, 2026. The complete timed transcript is the principal source for the disputed comments, including their surrounding language.

Source: https://rollcall.com/factbase/trump/transcript/donald-trump-speech-midterm-political-rally-grand-island-nebraska-october-5-2026/

EXHIBIT B | Contemporaneous Los Angeles Times coverage

B-1. Los Angeles Times, October 5, updated October 6, 2026

Iris Kwok, Richard Winton, and Ana Ceballos. Report on President Trump's references to Los Angeles and San Diego and California officials' responses. Published October 5, 2026, and updated October 6.

Source: https://www.latimes.com/california/story/2026-10-05/trump-suggests-letting-iran-take-out-los-angeles-san-diego-at-campaign-rally

EXHIBIT C | Republican officials' responses

C-1. The Guardian, October 6, 2026

Report addressing California's threat monitoring and responses to Trump's remarks, including remarks attributed to San Diego County Republican Party chair Paula Whitsell. The article distinguishes her defense of the remarks from endorsement of an attack.

Source: https://www.theguardian.com/us-news/2026/oct/06/republican-trump-iran-los-angeles-san-diego

EXHIBIT D | State Republican legislators' statements

D-1. CalMatters, June 18, 2025

Yue Stella Yu, "California Republicans hate government 'overreach.' Most are quiet on Trump's military in LA." Documents responses by California Republican legislators, including James Gallagher, Jeff Gonzalez, Steven Choi, and Tony Strickland, concerning federal deployments in Los Angeles.

Source: https://calmatters.org/politics/2025/06/california-republicans-trump-military-los-angeles/

EXHIBIT E | State party identification

E-1. California Secretary of State, qualified political parties

Official statewide directory identifying the Republican Party and state chairwoman Corrin Rankin. Provides the appropriate party entity for organizational attribution analysis.

Source: https://www.sos.ca.gov/elections/political-parties/qualified-political-parties

E-2. California Secretary of State, registration report

Official California registration report identifying qualified political parties and contact information.

Source: https://elections.cdn.sos.ca.gov/ror/154day-primary-2026/complete-ror.pdf

EXHIBIT F | Governing statutes

F-1. Elections Code § 5102

Statutory prohibition applicable to recognition or qualification for primary elections.

Source: https://codes.findlaw.com/ca/elections-code/elec-sect-5102/

F-2. Elections Code § 5154

Corresponding statutory prohibition applicable to presidential general elections.

Source: https://codes.findlaw.com/ca/elections-code/elec-sect-5154/

F-3. Elections Code § 5200

Disqualification determination, notices, hearing mechanism, and timing. Text reflects amendment effective January 1, 2026.

Source: https://codes.findlaw.com/ca/elections-code/elec-sect-5200/

EXHIBIT G | Organizational and operational primary-source records

G-1. California Republican Party Standing Rules and Bylaws
Official bylaws amended September 7, 2025. Relevant to the state party's governing bodies, county committee relationships, and the limits of organizational attribution.

Source: https://cagop.org/wp-content/uploads/2025/10/250907_CRPBylaws.pdf

G-2. California Republican Party platform and bylaws directory
Official party index identifying adopted platform and bylaws materials.

Source: https://cagop.org/platform-bylaws/

G-3. California Republican Party official website
Official party institutional record and entry point for public organizational statements.

Source: https://cagop.org/

G-4. Federal Election Commission, CRP federal account C00140590
Federal committee financial disclosure profile for the 2026 cycle. This is a records index, not evidence of a specifically unlawful payment.

Source: https://www.fec.gov/data/committee/C00140590/?cycle=2026

G-5. Representative Young Kim, California GOP congressional delegation resolution
Official congressional press release dated June 10, 2025, describing a resolution addressing Los Angeles riots, peaceful assembly, and law-enforcement support. This is a congressional delegation action, not a state party resolution.

Source: https://youngkim.house.gov/2025/06/10/rep-young-kim-leads-ca-gop-delegation-in-resolution-condemning-la-riots-standing-with-law-enforcement/

G-6. U.S. Northern Command, June 8, 2025
Official military statement concerning federal command and control over National Guard personnel and the protection of federal property and personnel in Los Angeles.

Source: https://www.northcom.mil/Newsroom/Press-Releases/Article/4209228/usnorthcom-statement-regarding-protection-of-federal-property-and-personnel-in/

G-7. U.S. Northern Command, June 17, 2025
Official military statement concerning additional military personnel, mission parameters, and restrictions on civilian-law-enforcement activities.

Source: https://www.northcom.mil/Newsroom/Press-Releases/Article/4219651/usnorthcom-statement-on-additional-military-personnel-in-los-angeles-area/

PRINCIPAL JUDICIAL AUTHORITIES

Authority 1. Communist Party v. Peek, 20 Cal. 2d 536 (1942)

California Supreme Court decision concerning historical restrictions on party qualification. The court reversed the challenged exclusion.

Source: https://law.justia.com/cases/california/supreme-court/2d/20/536.html

Authority 2. Brandenburg v. Ohio, 395 U.S. 444 (1969)

United States Supreme Court decision governing incitement and the protection of political advocacy.

Source: https://supreme.justia.com/cases/federal/us/395/444/

Authority 3. Communist Party of Indiana v. Whitcomb, 414 U.S. 441 (1974)

United States Supreme Court decision concerning First and Fourteenth Amendment constraints on denying political-party ballot access.

Source: https://supreme.justia.com/cases/federal/us/414/441/

Source authenticity and evidentiary status

The official party bylaws, Secretary of State register, federal campaign-finance profile, congressional release, and Northern Command statements provide primary-source documentation of organizational structure, public political positions, and federal military operations. None of the sources identified here independently authenticates a California Republican Party State Central Committee decision to authorize, finance, or ratify a program prohibited under Elections Code §§ 5102 or 5154. The news reports document attributed statements by individuals, and the federal military statements document federal operations. Legal attribution and the elements of a statutory offense remain distinct questions.

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