



Resolution Condemning the Impeachment of Attorney General Ken Paxton

WHEREAS, Texas Attorney General Warren Kenneth Paxton, Jr. was impeached by the Texas House of Representatives on May 27, 2023, after a report was issued by the House Committee on General Investigating (GIC), which contained 20 articles of impeachment. The GIC submission, which consisted solely of a transcript of the GIC hearing, was considered by the House for approximately 48 hours before the impeachment vote was called and taken; and

WHEREAS, no testimony was taken in the House, and Attorney General Paxton was not allowed to speak to the House or to offer any rebuttal evidence or testimony despite his offer to do so, which was refused; and

WHEREAS, the impeachment occurred under illegal circumstances, for example:

1. The GIC admitted that none of the witnesses who provided information to that committee were placed under oath before giving their statements as required by Texas Government Code §301.022;
2. The GIC included in its consideration and in the Articles of Impeachment at least six articles based on events alleged to have taken place before January 1, 2023, the first day of Attorney General Paxton's current term. Such events may not serve to support impeachment per Texas Government Code §665.081 and nearly one hundred years of Supreme Court precedent beginning with *Reeves v. State*, 267 S.W. 666 (Tex. 1924);
3. Neither the GIC nor the House of Representatives allowed Attorney General Paxton the opportunity to present evidence in his defense or to cross-examine witnesses, which is contrary to the spirit of the U.S. Constitution Amendments V and VI and to the precedent established by the Texas House of Representatives in the 1975-76 Carrillo impeachment proceeding; and

WHEREAS, due process and the rule of law are the very foundation of our republic and necessary to the proper functioning of a free society, without which we become nothing more than a banana republic; and

WHEREAS, it is the sincere desire of the Republican Party of Texas that the State of Texas not become a banana republic; and

WHEREAS, the articles of impeachment are unsupported by competent and admissible evidence and are an affront to the presumption of innocence; now

THEREFORE, BE IT RESOLVED that the Republican Party of Texas CONDEMNS the politically motivated impeachment of Attorney General Paxton by the Texas House of Representatives and hereby IMPLORES Texas Lieutenant Governor Dan Patrick and members of the Texas Senate to uphold Constitutionally guaranteed due process, fairness, precedent, and the rule of law by rendering judgment as a matter of law in the Texas Senate on the grounds that the House of Representatives failed to satisfy due process, to comply with applicable Texas law, and to adhere to precedent; that the articles of impeachment be dismissed with prejudice; and that Ken Paxton be allowed to promptly resume his duties as the duly elected Attorney General.