

RESOLUTION OF THE KAUFMAN COUNTY REPUBLICAN PARTY CONDEMNING IMPEACHMENT PROCESS

Whereas Texas Attorney General Kenneth Paxton was impeached by the Texas House of Representatives on May 27, 2023 after a report was issued by the House General Investigating Committee (GIC) containing twenty 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, no testimony was taken in the House, and General Paxton was not allowed to speak to the House or offer any rebuttal evidence or testimony although he offered to do so and was refused; and

Whereas the impeachment of General Paxton failed to comply with applicable law and historical precedent, to wit:

1. The General Investigating Committee admitted that none of the witnesses who provided information to the committee were placed under oath before giving their statements as required by Texas Government Code §301.022;
2. The General Investigating Committee included in their consideration, and included in the articles of impeachment alleged conduct that took place before the date when General Paxton was elected and took office in his current term, and such conduct may not serve to support removal of a state officer in accordance with Texas Government Code § 665.081, and thus should not have been part of the impeachment process in accordance with Texas Supreme Court precedent found in *Reeves v. State*, 267 S.W. 666 (Tex. 1924);
3. The General Investigative Committee and the House or Representatives failed to give General Paxton notice of the GIC hearing, did not allow General Paxton or his office to appear, did not afford General Paxton the opportunity to present evidence in his defense, including the right to cross-examine witnesses against him in the spirit of the U.S. Constitution Amendments V and VI and 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 adherence to which we become nothing more than a banana republic; and

Whereas notice and an opportunity to be heard and to defend oneself are the hallmarks of Due Process and it is the sincere desire of the Republican Party of Texas that the State of Texas and its legislative bodies adhere to the Rule of Law and not become a banana republic.

NOW THEREFORE BE IT RESOLVED that the Kaufman County Republican Party CONDEMNNS the process by which the Texas House of Representatives impeached General Paxton as unprecedented and an offense to Due Process and the Rule of Law, and hereby IMPLORES Texas Lt. Governor Dan Patrick and members of the Texas Senate to uphold Due Process, fairness, precedent, and the Rule of Law by immediately returning the impeachment articles to the House of Representatives and conduct no further proceedings in the Texas Senate unless and until the House of Representatives fully satisfies due process, complies with applicable Texas law, and adheres to precedent regarding the Constitutional and statutory impeachment processes, and that Ken Paxton be immediately resume his duties as duly-elected Attorney General.