



State Sen. Angela Paxton Must Recuse Herself from Her Husband's Potential Impeachment Trial

State senators and the lieutenant governor must also take immediate steps to avoid all impeachment discussions with Sen. Paxton

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AUSTIN, Texas – The Texas Constitution clearly bars state Sen. Angela Paxton from casting a vote in her husband's potential impeachment trial. Given the unprecedented nature of this case and the conflict she faces, Sen. Paxton should take the further step of removing herself from the proceedings. Public Citizen called for this action as the Texas House of Representatives prepares to vote on impeachment charges against Texas Attorney General Ken Paxton.

[Article 3, Section 22 of the Texas Constitution leaves no ambiguity.](#) It states, "A member who has a personal or private interest in any measure or bill, proposed, or pending before the Legislature, shall disclose the fact to the House, of which he is a member, and shall not vote thereon." The state statute on impeachment does require senators to be present for impeachment trials, but the law is silent on other requirements of senators. Simply refraining from the vote is insufficient. Sen. Paxton should excuse herself from the Senate floor during the trial. It is common practice for senators to register their attendance and leave the floor to attend to other matters while the body is in session.

Public Citizen also calls on all other senators and Lt. Gov. Dan Patrick to avoid discussing the impeachment trial, publicly or privately, with Sen. Paxton now and until the conclusion of the possible trial.

"There is no court in the country that would allow a spouse to sit in judgment of the defendant or have contact with the jurors," **said Adrian Shelley, the Texas director of Public Citizen.** "No reasonable person could argue that Sen. Paxton can cast an impartial vote. Sen. Paxton is also uniquely positioned to influence the impeachment process and her colleagues' votes. Sen. Paxton has a moral obligation to the people of Texas to avoid interacting with her colleagues in the Senate on this issue, as do her fellow senators."

Sen. Paxton was mentioned several times at this week's hearing before the Republican-led Texas House Committee on General Investigating, which voted unanimously to file 20 articles of impeachment.

One article of impeachment involved an alleged improper gift of new granite countertops for the Paxtons' home in Austin. Investigators told the committee that Attorney General Paxton informed a contractor his wife was unhappy with recently installed countertops and wanted an upgrade. The contractor informed the attorney general that replacement would cost an additional \$20,000. The attorney general, investigators said, then told the contractor to move forward with the replacement, to which the contractor replied, "I'll have to check with Nate." Many of the impeachment articles center around Attorney General Paxton misusing his office to help a wealthy friend and donor, an Austin real estate developer named Nate Paul. The countertops are the basis for Article X, accusing the attorney general of constitutional bribery.

At the attorney general's recommendation, Paul also allegedly hired the attorney general's mistress in an extramarital affair that Sen. Paxton later became aware of.

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