

# Impeachment trial of Texas Attorney General Paxton ends in acquittal

Andy Hartmann  
18 September 2023

On Saturday, Texas Attorney General Ken Paxton was acquitted on 16 impeachment counts by the Texas State Senate. The remaining four counts were dismissed by a vote of the Senate.

Each article was voted on separately. All but two of the Republicans in the Senate, who control 19 of the 31 seats, voted “nay” on every vote. Two Democrats voted for every article. Twelve of the articles were voted down by margins of 16-14, with two Republicans joining the 12 Democrats. One article was voted down 28-2.

The trial had been expected to last two to three weeks. However, the prosecution and defense, which had each been given 24 cumulative hours in which to present their cases, ran out of their allotted time. The trial ended up lasting nine days.

Paxton’s wife Angela, a state senator herself, had been barred from voting or participating in the deliberations, but was allowed on the floor of the Senate during the trial. Because she was present, the number of senators was 31, meaning that the two-thirds majority to convict was 21, rather than 20 if she had been absent. Her vote was considered an abstention. As it turned out, the extra vote required to convict was not a factor.

The charges against Paxton largely involved his relationship with Austin real estate developer Nate Paul. Paul allegedly paid for renovations to Paxton’s home and hired Paxton’s mistress, in exchange for which Paxton used the powers of his office to benefit Paul. This included opening investigations against Paul’s enemies, delaying foreclosure sales of his properties, and obtaining confidential records for Paul. Paxton even hired a private attorney, at state expense, to investigate the FBI agents who were investigating Paul for various financial scams.

Paxton’s subordinates at the Office of the Attorney General (OAG) warned Paxton to break off contact with Paul, advice which Paxton did not take. David Maxwell, the former head of investigations at the OAG, with 40 years of police experience, testified that he bluntly told Paxton that Paul was a criminal.

There should be little doubt of Paxton’s corruption. He was indicted for securities fraud in 2015, but has managed to postpone the trial for eight years and through reelection campaigns in 2018 and 2022. The reasons for his acquittal last weekend have to do with politics.

The impeachment itself, which was overwhelmingly passed by the Republican-dominated state House of Representatives in May by a vote of 121-23, is indicative of a power struggle within the Republican Party. Paxton is a close ally of Donald Trump; he spoke at Trump’s rally in Washington D.C. on January 6, 2021, shortly before fascist supporters of the former president attacked Congress.

Trump celebrated Paxton’s acquittal on his social media site, Truth Social, calling it a “great and historic Texas sized VICTORY.” Previously he had denounced Paxton’s Republican opponents as RINOs (Republicans in name only), writing, “Who would replace Paxton, one of the TOUGHEST & BEST Attorney Generals in the Country? Could it be a Democrat, or even worse, a RINO?”

Tony Buzbee, Paxton’s lead attorney, hinted at the party struggle while questioning some witnesses and again in his closing arguments. He suggested that the Bush family was behind the impeachment. At one point, while cross-examining a prosecution witness, he accused the witness of planning a coup d’état against Paxton. During his closing arguments, he implored the senators to “send the Bushes back to Maine.”

Paxton's main opponent in the 2022 Republican Party primary election was George P. Bush. The son of former Florida Governor Jeb Bush and the nephew of former president and Texas governor George W. Bush, he lost to Paxton by a margin of 68 percent to 32 percent.

Paxton's acquittal solidifies the control of the Republican Party by fascist elements. Paxton has played a major role nationally, where he has spearheaded legal challenges to Obama and Biden administration policies, as well as appealing for Supreme Court intervention into the 2020 election. He has also been at the forefront of enforcing state persecution of doctors and other health care workers involved in abortion services, and even against friends or relatives who might help women seeking an abortion. There should be little doubt that he will seek vengeance on those who sought to remove him from office.

Texas Governor Greg Abbott, a former state Attorney General himself, maintained a remarkable silence throughout the affair. Only after the Senate verdict did he then issue a statement congratulating the state attorney general and pledging to work with him in the future. Abbott's most public activities during the summer involved having state police place buoys in the middle of the Rio Grande, along the international border with Mexico, to block migrants from entering the US.

The Senate trial was presided over by Lieutenant Governor Dan Patrick, an ally of Paxton. After the verdict, he said, "I'm going to call next week for a full audit of all taxpayer money spent by the House from the beginning of their investigation in March to their final bills they get from their lawyers." Patrick specifically attacked House Speaker Dade Phelan, saying, "The speaker and his team ran through the first impeachment of a statewide elected official in Texas in over 100 years while paying no attention to the precedent that the House set and every other impeachment before in the past."

Shortly before the impeachment trial began, Patrick received a campaign contribution of \$3 million from the Defend Texas Liberty PAC, a pro-Paxton political action committee, including an outright donation of \$1 million and a loan of \$2 million. This is despite the fact that Patrick is already sitting on a campaign war chest

of \$22 million and won't be up for reelection for three years.

Following the verdict, Paxton, clearly contemptuous of Texas citizens, stated, "The sham impeachment coordinated by the Biden Administration with liberal House Speaker Dade Phelan and his kangaroo court has cost taxpayers millions of dollars, disrupted the work of the Office of Attorney General and left a dark and permanent stain on the Texas House. The weaponization of the impeachment process to settle political differences is not only wrong, it is immoral and corrupt."

Paxton is still under indictment for securities fraud. He is also being investigated by the FBI because of the whistleblowers who testified during the trial. These former employees in the Office of Attorney General were fired by Paxton after they reported him to the FBI due to their belief that Paxton had committed crimes.



To contact the WSWWS and the Socialist Equality Party visit:

**[wsws.org/contact](https://wsws.org/contact)**