

1 THE SENATE OF THE STATE OF TEXAS
2 SITTING AS A HIGH COURT OF IMPEACHMENT

3 IN THE MATTER OF §
4 WARREN KENNETH §
5 PAXTON, JR. §

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12 TRIAL

13 VOLUME 10

14 SEPTEMBER 16, 2023
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20 The following proceedings came on to be heard
21 in the above-entitled cause in the Senate chambers before
22 Lieutenant Governor Dan Patrick, Presiding Officer, and
23 Senate members.

24 Stenographically reported by Tami Lewis, CSR,
25 RDR, CRR, CRC.

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14 Representative Andrew Murr
Representative Ann Johnson
15 Representative Briscoe Cain
Representative Terry Canales
16 Representative Erin Gamez
Representative Charlie Geren
17 Representative Jeff Leach
Representative Oscar Longoria
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Representative Cody Vasut

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P R O C E E D I N G S

SATURDAY, SEPTEMBER 16, 2023

(11:08 a.m.)

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THE BAILIFF: All rise. The Court of Impeachment of the Texas Senate is now in session. Your Honor Lieutenant Governor and President of the Senate Dan Patrick now presiding.

PRESIDING OFFICER: Bailiff, please bring in the jury.

(Jury enters the courtroom at 11:09 a.m.)

PRESIDING OFFICER: Good morning, everyone. We will be led in prayer, as we do every day when we're in session. Today is Senator Lois Kolthorst.

SENATOR KOLKHORST: Thank you, Mr. President. I -- I want to take just one moment to say a word to you on behalf of this body for the leadership in presiding over this Court of Impeachment. The seriousness, the gravity, the constitutional duty that we had, you have done a marvelous job, and it truly has been remarkable your dedication to the people of the State of Texas. Thank you.

(Applause)

Chairman Birdwell, for all of us, thank you for your work group, your rules work group. And those that were on the rules work group, thank you so much for

1 all that you have done.

2 And, finally, to our staff, oh, my
3 goodness, thank you-all. I know that we've thanked the
4 Senate staff, but thank you to our staffs that have
5 prepared us for this. Please give them a...

6 (Applause)

7 Let us go to the Lord in prayer. Dear
8 Lord, we come to you today with our hearts and minds
9 turned to you and what is written in Isaiah: For the
10 Lord is our judge. The Lord is our lawgiver. The Lord
11 is our King. We have so much to be thankful for, all
12 that you have given us, bestowed upon us, and the
13 responsibilities that you have placed upon us. Give us
14 wisdom, discernment, and most of all peace as decisions
15 are made today. And no matter the outcome, we know that
16 you are the alpha and the omega, the beginning and end
17 who is and who was and who is to come, the Almighty.
18 Amen.

19 PRESIDING OFFICER: And thank you, Senator.
20 You may be seated.

21 To those in the gallery and those watching,
22 many of you aren't familiar with the Senate regular
23 sessions, but a lot of denominations, a lot of beliefs on
24 our Senate floor, but we pray before every session. And
25 during the last week of session when we're here that

1 Sunday, we have a -- we have a Bible study back there
2 that most of the Senators attend. Then we come out here,
3 as we did this year. We stand in a circle, and we hold
4 each others' hands, and we pray because we know who we
5 answer to ultimately in all the things we do, all 31
6 members on this floor. And it helps bring us together
7 when we deal with difficult issues.

8 Members, I've been informed by Senator
9 Birdwell, the chairman of the rules committee, that you
10 are now prepared to vote on 16 Articles of Impeachment.
11 As you recall, during the pretrial motions, you will
12 write your vote down on a piece of paper. It'll be
13 collected by the bailiffs. Our clerk, Patsy Spaw, our --
14 Secretary of the Senate is her official title, but Clerk
15 of this Court, she'll read those at random. That's
16 different than we normally vote, for everyone to know,
17 because we normally vote in alphabetical order. And this
18 way, there's -- there's no pressure on someone at the
19 front, the middle, or the back of the alphabet. So this
20 way, it's pulled out at random, and then I will confirm
21 your vote as we go through each article.

22 Members, you will now vote on Article I. I
23 will read the article for you each time.

24 Disregard of official duty, protection of
25 charitable organization.

1 While holding office as attorney general,
2 Warren Kenneth Paxton violated the duties of his office
3 by failing to act as public protector of charitable
4 organizations as required by Chapter 123 of the property
5 code.

6 Specifically, Paxton caused employees of
7 his office to intervene in a lawsuit brought by the Roy
8 F. And JoAnn Cole Mitte Foundation against several
9 corporate entities controlled by Nate Paul. Paxton
10 harmed the Mitte Foundation in an effort to benefit Paul.

11 A yea vote is to convict; a nay vote is to
12 acquit. Please mark your ballots on the voting form.

13 And, again, for everyone watching, of the
14 16 articles, if he is convicted on one article, he is
15 removed from office.

16 Looks like everyone has finished writing.
17 Bailiffs, please collect the ballots.

18 All of the ballots in, bailiffs? Thank
19 you.

20 THE CLERK: Gutierrez, yea; Johnson, yea;
21 Springer, nay; Schwertner, nay; Campbell, nay; Nichols,
22 yea; Blanco, yea; La Mantia, yea; Parker, nay; Hughes,
23 nay; Miles, yea; West, yea; Whitmire, yea; Huffman, nay;
24 Hinojosa, yea; Zaffirini, yea; Hancock, yea; Eckhardt,
25 yea; King, nay; Sparks, nay; Flores, nay; Menendez, yea;

1 Birdwell, nay; Hall, nay; Perry, nay; Kolchorst, nay;
2 Bettencourt, nay; Creighton, nay; Middleton, nay;
3 Alvarado, yea.

4 PRESIDING OFFICER: Reminding the people in
5 the gallery and watching, it takes 21 votes to convict on
6 any one article.

7 THE CLERK: 14 yeas; 16 nays.

8 PRESIDING OFFICER: I will now confirm the
9 votes.

10 Alvarado?

11 SENATOR ALVARADO: Yea.

12 PRESIDING OFFICER: Senator Bettencourt?

13 SENATOR BETTENCOURT: Nay.

14 PRESIDING OFFICER: Senator Birdwell?

15 SENATOR BIRDWELL: Nay.

16 PRESIDING OFFICER: Senator Blanco?

17 SENATOR BLANCO: Yea.

18 PRESIDING OFFICER: Senator Campbell?

19 SENATOR CAMPBELL: Nay.

20 PRESIDING OFFICER: Senator Creighton?

21 SENATOR CREIGHTON: Nay.

22 PRESIDING OFFICER: Senator Eckhardt?

23 SENATOR ECKHARDT: Yea.

24 PRESIDING OFFICER: Senator Flores?

25 SENATOR FLORES: Nay.

1 PRESIDING OFFICER: Senator Gutierrez?
2 SENATOR GUTIERREZ: Yea.
3 PRESIDING OFFICER: Senator Hall?
4 SENATOR HALL: Nay.
5 PRESIDING OFFICER: Senator Hancock?
6 SENATOR HANCOCK: Yea.
7 PRESIDING OFFICER: Senator Hinojosa?
8 SENATOR HINOJOSA: Yea.
9 PRESIDING OFFICER: Senator Huffman?
10 SENATOR HUFFMAN: Nay.
11 PRESIDING OFFICER: Senator Hughes?
12 SENATOR HUGHES: Nay.
13 PRESIDING OFFICER: Senator Johnson?
14 SENATOR JOHNSON: Yea.
15 PRESIDING OFFICER: Senator King?
16 SENATOR KING: Nay.
17 PRESIDING OFFICER: Senator Kolthorst?
18 SENATOR KOLKHORST: Nay.
19 PRESIDING OFFICER: Senator La Mantia?
20 SENATOR LA MANTIA: Yea.
21 PRESIDING OFFICER: Senator Menendez?
22 SENATOR MENENDEZ: Yea.
23 PRESIDING OFFICER: Senator Middleton?
24 SENATOR MIDDLETON: Nay.
25 PRESIDING OFFICER: Senator Miles?

1 SENATOR MILES: Yea.
2 PRESIDING OFFICER: Senator Nichols?
3 SENATOR NICHOLS: Yea.
4 PRESIDING OFFICER: Senator Parker?
5 SENATOR PARKER: Yea.
6 PRESIDING OFFICER: Senator Perry?
7 SENATOR PERRY: Nay.
8 PRESIDING OFFICER: Senator Schwertner?
9 SENATOR SCHWERTNER: Nay.
10 PRESIDING OFFICER: Senator Sparks?
11 SENATOR SPARKS: Nay.
12 PRESIDING OFFICER: Senator Springer?
13 SENATOR SPRINGER: Nay.
14 PRESIDING OFFICER: Senator West?
15 SENATOR WEST: Yea.
16 PRESIDING OFFICER: Senator Whitmire?
17 SENATOR WHITMIRE: Yea.
18 PRESIDING OFFICER: Senator Zaffirini?
19 SENATOR ZAFFIRINI: Yea.
20 PRESIDING OFFICER: Total 14 yeas, 16 nays.
21 A finding of acquittal is entered as to Article I.
22 Members, you will now vote on Article II,
23 disregard of official duty, abuse of the opinion process.
24 While holding office as attorney general,
25 Warren Kenneth Paxton misused his official power to issue

1 written legal opinions under Supchapter C, Chapter 402
2 Government Code.

3 Specifically, Paxton caused employees of
4 his office to prepare an opinion in an attempt to avoid
5 the impending foreclosure sales of properties belonging
6 to Nate Paul or business entities controlled by Paul.
7 Paxton concealed his actions by soliciting the chair of a
8 Senate committee to serve as a straw requester.

9 Furthermore, Paxton directed employees of his office to
10 reverse their legal conclusion for the benefit of Paul.

11 Please fill out your forms.

12 I believe you can collect the ballots,
13 bailiff. All the ballots are turned in. The clerk will
14 read when ready.

15 THE CLERK: La Mantia, yea; Parker, nay;
16 Hughes, nay; Miles, yea; Gutierrez, yea; Johnson, yea;
17 Springer, nay; Schwertner, nay; Campbell, nay; Eckhardt,
18 yea; King, nay; Sparks, nay; Flores, nay; Blanco, yea;
19 Nichols, yea; West, yea; Whitmire, yea; Huffman, nay;
20 Hinojosa, yea; Zaffirini, yea; Kolkhorst, nay; Hancock,
21 yea; Menendez, yea; Birdwell, nay; Hall, nay; Perry, nay;
22 Bettencourt, nay; Creighton, nay; Middleton, nay;
23 Alvarado, yea.

24 14 yeas; 16 nays.

25 PRESIDING OFFICER: I will now poll the

1 jury to confirm the votes.

2 Senator Alvarado?

3 SENATOR ALVARADO: Yea.

4 PRESIDING OFFICER: Senator Bettencourt?

5 SENATOR BETTENCOURT: Nay.

6 PRESIDING OFFICER: Senator Birdwell?

7 SENATOR BIRDWELL: Nay.

8 PRESIDING OFFICER: Senator Blanco?

9 SENATOR BLANCO: Yea.

10 PRESIDING OFFICER: Senator Campbell?

11 SENATOR CAMPBELL: Nay.

12 PRESIDING OFFICER: Senator Creighton?

13 SENATOR CREIGHTON: Nay.

14 PRESIDING OFFICER: Senator Eckhardt?

15 SENATOR ECKHARDT: Yea.

16 PRESIDING OFFICER: Senator Flores?

17 SENATOR FLORES: Nay.

18 PRESIDING OFFICER: Senator Gutierrez?

19 SENATOR GUTIERREZ: Yea.

20 PRESIDING OFFICER: Senator Hall?

21 SENATOR HALL: Nay.

22 PRESIDING OFFICER: Senator Hancock?

23 SENATOR HANCOCK: Yea.

24 THE COURT: Senator Hinojosa?

25 SENATOR HINOJOSA: Yea.

1 PRESIDING OFFICER: Senator Huffman?
2 SENATOR HUFFMAN: Nay.
3 PRESIDING OFFICER: Senator Hughes?
4 SENATOR HUGHES: Nay.
5 PRESIDING OFFICER: Senator Johnson?
6 SENATOR JOHNSON: Yea.
7 PRESIDING OFFICER: Senator King?
8 SENATOR KING: Nay.
9 PRESIDING OFFICER: Senator Kolthorst?
10 SENATOR KOLKHORST: Nay.
11 PRESIDING OFFICER: Senator La Mantia?
12 SENATOR LA MANTIA: Yea.
13 PRESIDING OFFICER: Senator Menendez?
14 SENATOR MENENDEZ: Yea.
15 THE COURT: Senator Middleton?
16 SENATOR MIDDLETON: Nay.
17 PRESIDING OFFICER: Senator Miles?
18 SENATOR MILES: Yea.
19 THE COURT: Senator Nichols?
20 SENATOR NICHOLS: Nay.
21 THE COURT: Senator Parker?
22 SENATOR PARKER: Nay.
23 PRESIDING OFFICER: Senator Perry?
24 SENATOR PERRY: Nay.
25 PRESIDING OFFICER: Senator Schwertner?

1 SENATOR SCHWERTNER: Nay.

2 PRESIDING OFFICER: Senator Sparks?

3 SENATOR SPARKS: Nay.

4 PRESIDING OFFICER: Senator Springer?

5 SENATOR SPRINGER: Nay.

6 PRESIDING OFFICER: Senator West?

7 SENATOR WEST: Yea.

8 PRESIDING OFFICER: Senator Whitmire?

9 SENATOR WHITMIRE: Yea.

10 PRESIDING OFFICER: Senator Zaffirini?

11 SENATOR ZAFFIRINI: Yea.

12 PRESIDING OFFICER: There being 14 yeas, 16

13 nays, a finding of acquittal is entered for Article II.

14 Members, you will now be voting on Article
15 III, disregard of official duty, abuse of the open
16 records process.

17 While holding office as attorney general,
18 Warren Kenneth Paxton misused his official power to
19 administer the public information law, Chapter 552 of the
20 Government Code.

21 Specifically, Paxton directed employees of
22 his office to act contrary to law by refusing to render a
23 proper decision relating to a public information request
24 for records held by the Department of Public Safety and
25 by issuing a decision involving another public

1 information request that was contrary to law and
2 applicable to legal precedent.

3 A yea vote is to convict; a nay vote is to
4 acquit. Please mark your ballot.

5 You may collect the ballots. You've
6 collected all the ballots. Thank you. Secretary -- the
7 clerk will read them when ready.

8 THE CLERK: La Mantia, yea; Parker, nay;
9 Hughes, nay; Miles, yea; Gutierrez, yea; Johnson, yea;
10 Springer, nay; Schwertner, nay; Blanco, yea; Campbell,
11 nay; Nichols, yea; West, yea; Whitmire, yea; Huffman,
12 nay; Hinojosa, yea; Zaffirini, yea; Hancock, yea;
13 Menendez, yea; Birdwell, nay; Hall, nay; Perry, nay;
14 Kolckhorst, nay; Bettencourt, nay; Creighton, nay;
15 Middleton, nay; Alvarado, yea; Eckhardt, yea; King, nay;
16 Sparks, nay; Flores, nay.

17 14 yeas; 16 nays.

18 PRESIDING OFFICER: I'll now confirm the
19 voting.

20 Senator Alvarado?

21 SENATOR ALVARADO: Yea.

22 PRESIDING OFFICER: Senator Bettencourt?

23 SENATOR BETTENCOURT: Nay.

24 PRESIDING OFFICER: Senator Birdwell?

25 SENATOR BIRDWELL: Nay.

1 PRESIDING OFFICER: Senator Blanco?
2 SENATOR BLANCO: Yea.
3 PRESIDING OFFICER: Senator Campbell?
4 SENATOR CAMPBELL: Nay.
5 PRESIDING OFFICER: Senator Creighton?
6 SENATOR CREIGHTON: Nay.
7 PRESIDING OFFICER: Senator Eckhardt?
8 SENATOR ECKHARDT: Yea.
9 PRESIDING OFFICER: Senator Flores?
10 SENATOR FLORES: Nay.
11 PRESIDING OFFICER: Senator Gutierrez?
12 SENATOR GUTIERREZ: Yea.
13 PRESIDING OFFICER: Senator Hall?
14 SENATOR HALL: Nay.
15 PRESIDING OFFICER: Senator Hancock?
16 SENATOR HANCOCK: Yea.
17 PRESIDING OFFICER: Senator Hinojosa?
18 SENATOR HINOJOSA: Yea.
19 PRESIDING OFFICER: Senator Huffman?
20 SENATOR HUFFMAN: Nay.
21 PRESIDING OFFICER: Senator Hughes?
22 SENATOR HUGHES: Nay.
23 PRESIDING OFFICER: Please speak up.
24 SENATOR HUGHES: Nay.
25 PRESIDING OFFICER: Okay. I can barely

1 hear you.

2 Senator Johnson?

3 SENATOR JOHNSON: Yea.

4 PRESIDING OFFICER: Senator King?

5 SENATOR KING: Nay.

6 PRESIDING OFFICER: Senator Kolthorst?

7 SENATOR KOLKHORST: Nay.

8 PRESIDING OFFICER: Senator La Mantia?

9 SENATOR LA MANTIA: Yea.

10 PRESIDING OFFICER: Senator Menendez?

11 SENATOR MENENDEZ: Yea.

12 PRESIDING OFFICER: Senator Middleton?

13 SENATOR MIDDLETON: Nay.

14 PRESIDING OFFICER: Senator Miles?

15 SENATOR MILES: Yea.

16 PRESIDING OFFICER: Senator Nichols?

17 SENATOR NICHOLS: Yea.

18 PRESIDING OFFICER: Senator Parker?

19 SENATOR PARKER: Nay.

20 PRESIDING OFFICER: Senator Perry?

21 SENATOR PERRY: Nay.

22 PRESIDING OFFICER: Senator Schwertner?

23 SENATOR SCHWERTNER: Nay.

24 PRESIDING OFFICER: Senator Sparks?

25 SENATOR PARKER: Nay.

1 PRESIDING OFFICER: Senator Springer?

2 SENATOR SPRINGER: Nay.

3 PRESIDING OFFICER: Senator West?

4 SENATOR WEST: Yea.

5 PRESIDING OFFICER: Senator Whitmire?

6 SENATOR WHITMIRE: Yea.

7 PRESIDING OFFICER: Senator Zaffirini?

8 SENATOR ZAFFIRINI: Yea.

9 PRESIDING OFFICER: There being 14 ayes, 16
10 nays, the finding of acquittal is entered for Article
11 III.

12 Members, you are now voting on Article IV,
13 disregard of official duty, misuse of official
14 information.

15 While holding office as attorney general,
16 Warren Kenneth Paxton misused his official power to
17 administer the public information law, Chapter 552 of the
18 Government Code. Specifically, Paxton improperly
19 obtained access to information held by his office that
20 had not been publicly disclosed for the purpose of
21 providing information to the benefit of Nate Paul.

22 Shall this article of impeachment be
23 sustained? A yea vote is to convict; a nay vote is to
24 acquit. Please mark your ballots.

25 Please collect the ballots. All the

1 ballots are in. Clerk will read at random the votes.

2 THE CLERK: Hancock, nay; Menendez, nay;
3 Birdwell, nay; Hall, nay; Perry, nay; Kolthorst, nay;
4 Bettencourt, nay; Creighton, nay; Middleton, nay;
5 Alvarado, nay; Eckhardt, nay; King, nay; Sparks, nay;
6 Flores, nay; Blanco, nay; La Mantia, nay; Parker, nay;
7 Hughes, nay; Miles, yea; Gutierrez, yea; Johnson, nay;
8 Springer, nay; Schwertner, nay; Campbell, nay; Nichols,
9 nay; West, nay; Whitmire, nay; Huffman, nay; Hinojosa,
10 nay; Zaffirini, nay.

11 Two yeas, 28 nays.

12 PRESIDING OFFICER: Let me confirm the
13 votes.

14 Senator Alvarado?

15 SENATOR ALVARADO: Nay.

16 PRESIDING OFFICER: Senator Bettencourt?

17 SENATOR BETTENCOURT: Nay.

18 PRESIDING OFFICER: Senator Birdwell?

19 SENATOR BIRDWELL: Nay.

20 PRESIDING OFFICER: Senator Blanco?

21 SENATOR BLANCO: Nay.

22 PRESIDING OFFICER: Senator Campbell?

23 SENATOR CAMPBELL: Nay.

24 PRESIDING OFFICER: Senator Creighton?

25 SENATOR CREIGHTON: Nay.

1 PRESIDING OFFICER: Senator Eckhardt?
2 SENATOR ECKHARDT: Nay.
3 PRESIDING OFFICER: Senator Flores?
4 SENATOR FLORES: Nay.
5 PRESIDING OFFICER: Senator Gutierrez?
6 SENATOR GUTIERREZ: Yea.
7 PRESIDING OFFICER: Senator Hall?
8 SENATOR HALL: Nay.
9 PRESIDING OFFICER: Senator Hancock?
10 SENATOR HANCOCK: Nay.
11 PRESIDING OFFICER: Senator Hinojosa?
12 SENATOR HINOJOSA: Nay.
13 PRESIDING OFFICER: Senator Huffman?
14 SENATOR HUFFMAN: Nay.
15 PRESIDING OFFICER: Senator Hughes?
16 SENATOR HUGHES: Nay.
17 PRESIDING OFFICER: Senator Johnson?
18 SENATOR JOHNSON: Nay.
19 PRESIDING OFFICER: Senator King?
20 SENATOR KING: Nay.
21 PRESIDING OFFICER: Senator Kolkhorst?
22 SENATOR KOLKHORST: Nay.
23 PRESIDING OFFICER: Senator La Mantia?
24 SENATOR LA MANTIA: Nay.
25 PRESIDING OFFICER: Senator Menendez?

1 SENATOR MENENDEZ: Nay.

2 PRESIDING OFFICER: Senator Middleton?

3 SENATOR MIDDLETON: Nay.

4 PRESIDING OFFICER: Senate Miles?

5 SENATOR MILES: Nay.

6 PRESIDING OFFICER: Senator Nichols?

7 SENATOR NICHOLS: Nay.

8 PRESIDING OFFICER: Senator Miles, did you
9 say "nay"?

10 SENATOR MILES: Nay.

11 PRESIDING OFFICER: Nay, okay. You said
12 "yea"? Okay. I just wanted to confirm that. Okay. It
13 is yea. Okay.

14 Senator Nichols? Senator Nichols, nay, did
15 you say?

16 SENATOR NICHOLS: Nay.

17 PRESIDING OFFICER: Okay. Sorry. I
18 couldn't hear you.

19 Senator Parker?

20 SENATOR PARKER: Nay.

21 PRESIDING OFFICER: Senator Perry?

22 SENATOR PERRY: Nay.

23 PRESIDING OFFICER: Senator Schwertner?

24 SENATOR SCHWERTNER: Nay.

25 PRESIDING OFFICER: Senator Sparks?

1 SENATOR SPARKS: Nay.

2 PRESIDING OFFICER: Senator Springer?

3 SENATOR SPRINGER: Nay.

4 PRESIDING OFFICER: Senator Springer?

5 SENATOR SPRINGER: Nay.

6 PRESIDING OFFICER: Senator West?

7 SENATOR WEST: Nay.

8 PRESIDING OFFICER: Senator Whitmire?

9 SENATOR WHITMIRE: Nay.

10 PRESIDING OFFICER: Senator Zaffirini?

11 SENATOR ZAFFIRINI: Nay.

12 PRESIDING OFFICER: 28 nays; 2 yeas. A

13 finding of acquittal is entered for Article IV.

14 Members, you will now vote on Article V,
15 disregard of official duty, engagement of Cammack.

16 While holding office as attorney general,
17 Warren Kenneth Paxton misused his official powers by
18 violating the laws governing the appointment of
19 prosecuting attorneys pro tem.

20 Specifically, Paxton engaged Brandon
21 Cammack, a licensed attorney, to conduct an investigation
22 into a baseless complaint during which Cammack issued
23 more than 30 grand jury subpoenas in an effort to benefit
24 Nate Paul or Paul's business entities.

25 Shall this article of impeachment be

1 sustained? A yea vote is to convict; a nay vote is to
2 acquit. Please mark your ballots.

3 I think they are marked. Bailiffs may pick
4 up. All the ballots are in. The clerk will read them at
5 random.

6 THE CLERK: Campbell, nay; Nichols, nay;
7 West, yea; Whitmire, yea; Huffman, nay; Hinojosa, yea;
8 Zaffirini, yea; La Mantia, yea; Parker, nay; Hughes, nay;
9 Miles, yea; Gutierrez, yea; Johnson, yea; Springer, nay;
10 Schwertner, nay; Hancock, yea; Menendez, yea; Birdwell,
11 nay; Hall, nay; Perry, nay; Kolkhorst, nay; Bettencourt,
12 nay; Creighton, nay; Middleton, nay; Alvarado, yea;
13 Eckhardt, yea; King, nay; Sparks, nay; Flores, nay;
14 Blanco, yea.

15 13 yeas; 17 nays.

16 PRESIDING OFFICER: I'll confirm the votes.
17 Senator Alvarado?

18 SENATOR ALVARADO: Yea.

19 PRESIDING OFFICER: Senator Bettencourt?

20 SENATOR BETTENCOURT: Nay.

21 PRESIDING OFFICER: Senator Birdwell?

22 SENATOR BIRDWELL: Nay.

23 PRESIDING OFFICER: Senator Blanco.

24 SENATOR BLANCO: Yea.

25 PRESIDING OFFICER: Senator Campbell?

1 SENATOR CAMPBELL: Nay.
2 PRESIDING OFFICER: Senator Creighton?
3 SENATOR CREIGHTON: Nay.
4 PRESIDING OFFICER: Senator Eckhardt?
5 SENATOR ECKHARDT: Yea.
6 PRESIDING OFFICER: Senator Flores?
7 SENATOR FLORES: Nay.
8 PRESIDING OFFICER: Senator Gutierrez?
9 SENATOR GUTIERREZ: Yea.
10 PRESIDING OFFICER: Senator Hall?
11 SENATOR HALL: Nay.
12 PRESIDING OFFICER: Senator Hancock?
13 SENATOR HANCOCK: Yea.
14 PRESIDING OFFICER: Senator Hinojosa?
15 SENATOR HINOJOSA: Yea.
16 PRESIDING OFFICER: Senator Huffman?
17 SENATOR HUFFMAN: Nay.
18 PRESIDING OFFICER: Senator Huff -- Hughes?
19 SENATOR HUGHES: Nay.
20 PRESIDING OFFICER: Senator Johnson?
21 SENATOR JOHNSON: Yea.
22 PRESIDING OFFICER: Senator King? Senator
23 King?
24 SENATOR KING: Nay.
25 PRESIDING OFFICER: Senator Kolkhorst?

1 SENATOR KOLKHORST: Nay.
2 PRESIDING OFFICER: Senator La Mantia?
3 SENATOR LA MANTIA: Yea.
4 PRESIDING OFFICER: Senator Menendez?
5 SENATOR MENENDEZ: Yea.
6 PRESIDING OFFICER: Senator Middleton?
7 SENATOR MIDDLETON: Nay.
8 PRESIDING OFFICER: Senator Miles?
9 SENATOR MILES: Yea.
10 PRESIDING OFFICER: Senator Nichols?
11 SENATOR NICHOLS: Nay.
12 PRESIDING OFFICER: Senator Parker?
13 SENATOR PARKER: Nay.
14 PRESIDING OFFICER: Senator Perry?
15 SENATOR PERRY: Nay.
16 PRESIDING OFFICER: Senator Schwertner?
17 SENATOR SCHWERTNER: Nay.
18 PRESIDING OFFICER: Senator Sparks?
19 SENATOR SPARKS: Nay.
20 PRESIDING OFFICER: Senator Springer?
21 SENATOR SPRINGER: Nay.
22 PRESIDING OFFICER: Senator West?
23 SENATOR WEST: Yea.
24 PRESIDING OFFICER: Senator Whitmire?
25 SENATOR WHITMIRE: Yea.

1 PRESIDING OFFICER: Senator Zaffirini?

2 SENATOR ZAFFIRINI: Yea.

3 PRESIDING OFFICER: 13 yeas; 17 nays. A
4 finding of acquittal is entered for Article V.

5 Members, you will now be voting on Article
6 VI, disregard of official duty, termination of
7 whistleblowers.

8 While holding office as attorney general,
9 Warren Kenneth Paxton violated the duties of his office
10 by terminating and taking adverse personal action against
11 employees of his office in violation of this state's
12 whistleblower law, Chapter 554 of the Government Code.

13 Specifically, Paxton terminated employees
14 of his office who made good-faith reports of his unlawful
15 actions to law enforcement authorities. Paxton
16 terminated the employees without good cause or due
17 process and in retaliation for reporting his illegal acts
18 and improper conduct. Furthermore, Paxton engaged in a
19 public and private campaign to impugn the employees'
20 professional reputations or prejudice their future
21 employment.

22 Shall this article of impeachment be
23 sustained? A yea vote is to convict; a nay vote is to
24 acquit. Please mark your ballots.

25 Austin and Matt, you've collected all the

1 ballots. Secretary will read them at random. The clerk
2 will read them at random.

3 THE CLERK: Campbell, nay; Schwertner, nay;
4 Springer, nay; Johnson, yea; Gutierrez, yea; Miles, yea;
5 Hughes, nay; Parker, nay; La Mantia, yea; Blanco, yea;
6 Zaffirini, yea; Hinojosa, yea; Huffman, nay; Whitmire,
7 yea; West, yea; Nichols, yea; Hancock, yea; Menendez,
8 yea; Birdwell, nay; Hall, nay; Perry, nay; Kolkhorst,
9 nay; Bettencourt, nay; Creighton, nay; Middleton, nay;
10 Alvarado, yea; Eckhardt, yea; King, nay; Sparks, nay;
11 Flores, nay.

12 14 yeas; 16 nays.

13 PRESIDING OFFICER: I'll confirm the votes.
14 Senator Alvarado?

15 SENATOR ALVARADO: Yea.

16 PRESIDING OFFICER: Senator Bettencourt?

17 SENATOR BETTENCOURT: Nay.

18 PRESIDING OFFICER: Senator Birdwell?

19 SENATOR BIRDWELL: Nay.

20 PRESIDING OFFICER: Senator Blanco?

21 SENATOR BLANCO: Yea.

22 PRESIDING OFFICER: Senator Campbell?

23 SENATOR CAMPBELL: Nay.

24 PRESIDING OFFICER: Senator Creighton?

25 SENATOR CREIGHTON: Nay.

1 PRESIDING OFFICER: Senator Eckhardt?
2 SENATOR ECKHARDT: Yea.
3 PRESIDING OFFICER: Senator Flores?
4 SENATOR FLORES: Nay.
5 PRESIDING OFFICER: Senator Gutierrez?
6 SENATOR GUTIERREZ: Yea.
7 PRESIDING OFFICER: Senator Hall?
8 SENATOR HALL: Nay.
9 PRESIDING OFFICER: Senator Hancock?
10 SENATOR HANCOCK: Yea.
11 PRESIDING OFFICER: Senator Hinojosa?
12 SENATOR HINOJOSA: Yea.
13 PRESIDING OFFICER: Senator Huffman?
14 SENATOR HUFFMAN: Nay.
15 PRESIDING OFFICER: Senator Hughes?
16 SENATOR HUGHES: Nay.
17 PRESIDING OFFICER: Senator Johnson?
18 SENATOR JOHNSON: Yea.
19 PRESIDING OFFICER: Senator King?
20 SENATOR KING: Nay.
21 PRESIDING OFFICER: Senator Kolkhorst?
22 SENATOR KOLKHORST: Nay.
23 PRESIDING OFFICER: Senator La Mantia?
24 SENATOR LA MANTIA: Yea.
25 PRESIDING OFFICER: Senator Menendez?

1 SENATOR MENENDEZ: Yea.
2 PRESIDING OFFICER: Senator Middleton?
3 SENATOR MIDDLETON: Nay.
4 PRESIDING OFFICER: Senator Miles?
5 SENATOR MILES: Yea.
6 PRESIDING OFFICER: Senator Nichols?
7 SENATOR NICHOLS: Yea.
8 PRESIDING OFFICER: Senator Parker?
9 SENATOR PARKER: Nay.
10 PRESIDING OFFICER: Senator Perry?
11 SENATOR PERRY: Nay.
12 PRESIDING OFFICER: Senator Schwertner?
13 SENATOR SCHWERTNER: Nay.
14 PRESIDING OFFICER: Senator Sparks?
15 SENATOR SPARKS: Nay.
16 PRESIDING OFFICER: Senator Springer?
17 SENATOR SPRINGER: Nay.
18 PRESIDING OFFICER: Senator West?
19 SENATOR WEST: Yea.
20 PRESIDING OFFICER: Senator Whitmire?
21 SENATOR WHITMIRE: Yea.
22 PRESIDING OFFICER: Senator Zaffirini?
23 SENATOR ZAFFIRINI: Yea.
24 PRESIDING OFFICER: There being 14 yeas and
25 16 nays, a finding of acquittal is entered for Article

1 VI.

2 Members, we will now move on to -- for you
3 to vote on Article VII, misapplication of public
4 resources, whistleblower investigation and report. While
5 holding office as attorney general, Warren Kenneth Paxton
6 misused public resources entrusted to him.

7 Specifically, Paxton directed employees of
8 his office to conduct a sham investigation into
9 whistleblower complaints made by employees whom Paxton
10 had terminated and to create and publish a lengthy
11 written report containing false and misleading statements
12 in Paxton's defense.

13 Shall this article of impeachment be
14 sustained? A yea vote is to convict; a nay vote is to
15 acquit. Please mark your ballots.

16 You may collect the ballots. I see all the
17 ballots collected. Secretary will read them at random.

18 THE CLERK: Senator Springer, nay; Senator
19 Schwertner, nay; Senator Campbell, nay; Senator Nichols,
20 yea; Senator West, yea; Senator Whitmire, yea; Senator
21 Huffman, nay; Senator Hinojosa, yea; Senator Zaffirini,
22 yea; Senator Blanco, yea; Senator La Mantia, yea; Senator
23 Parker, nay; Senator Hughes, nay; Senator Miles, yea;
24 Senator Gutierrez, yea; Senator Johnson, yea; Senator
25 Menendez, yea; Senator Birdwell, nay; Senator Hall, nay;

1 Senator Perry, nay; Senator Kolthorst, nay; Senator
2 Bettencourt, nay; Senator Creighton, nay; Senator
3 Middleton, nay; Senator Alvarado, yea; Senator Eckhardt,
4 yea; Senator King, nay; Senator Sparks, nay; Senator
5 Flores, nay; Senator Hancock, yea.

6 14 yeas; 16 nays.

7 PRESIDING OFFICER: I'll poll the jury to
8 be sure to confirm the votes.

9 Senator Alvarado?

10 SENATOR ALVARADO: Yea.

11 PRESIDING OFFICER: Senator Bettencourt?

12 SENATOR BETTENCOURT: Nay.

13 PRESIDING OFFICER: Senator Birdwell?

14 SENATOR BIRDWELL: Nay.

15 PRESIDING OFFICER: Senator Blanco?

16 SENATOR BLANCO: Yea.

17 PRESIDING OFFICER: Senator Campbell?

18 SENATOR CAMPBELL: Nay.

19 PRESIDING OFFICER: Senator Creighton?

20 SENATOR CREIGHTON: Nay.

21 PRESIDING OFFICER: Senator Eckhardt?

22 SENATOR ECKHARDT: Yea.

23 PRESIDING OFFICER: Senator Flores?

24 SENATOR FLORES: Nay.

25 PRESIDING OFFICER: Senator Gutierrez?

1 SENATOR GUTIERREZ: Yea.
2 PRESIDING OFFICER: Senator Hall?
3 SENATOR HALL: Nay.
4 PRESIDING OFFICER: Senator Hancock?
5 SENATOR HANCOCK: Yea.
6 PRESIDING OFFICER: Senator Hinojosa?
7 SENATOR HINOJOSA: Yea.
8 PRESIDING OFFICER: Senator Huffman?
9 SENATOR HUFFMAN: Nay.
10 PRESIDING OFFICER: Senator Hughes?
11 SENATOR HUGHES: Nay.
12 PRESIDING OFFICER: Senator Johnson?
13 SENATOR JOHNSON: Yea.
14 PRESIDING OFFICER: Senator King?
15 SENATOR KING: Nay.
16 PRESIDING OFFICER: Senator Kolkhorst?
17 SENATOR KOLKHORST: Nay.
18 PRESIDING OFFICER: Senator La Mantia?
19 SENATOR LA MANTIA: Yea.
20 PRESIDING OFFICER: Senator Menendez?
21 SENATOR MENENDEZ: Yea.
22 PRESIDING OFFICER: Senator Middleton?
23 SENATOR MIDDLETON: Nay.
24 PRESIDING OFFICER: Senator Miles?
25 SENATOR MILES: Yea.

1 PRESIDING OFFICER: Senator Nichols?

2 SENATOR NICHOLS: Yea.

3 PRESIDING OFFICER: Senator Parker?

4 SENATOR PARKER: Nay.

5 PRESIDING OFFICER: Senator Perry?

6 SENATOR PERRY: Nay.

7 PRESIDING OFFICER: Senator Schwertner?

8 SENATOR SCHWERTNER: Nay.

9 PRESIDING OFFICER: Senator Sparks?

10 SENATOR SPARKS: Nay.

11 PRESIDING OFFICER: Senator Springer?

12 SENATOR SPRINGER: Nay.

13 PRESIDING OFFICER: Senator West?

14 SENATOR WEST: Yea.

15 PRESIDING OFFICER: Senator Whitmire?

16 SENATOR WHITMIRE: Yea.

17 PRESIDING OFFICER: Senator Zaffirini?

18 SENATOR ZAFFIRINI: Yea.

19 PRESIDING OFFICER: 14 ayes; 16 nays. A

20 finding of acquittal is entered as to Article VII.

21 Members, you will vote on Article VIII,
22 disregard of official duty, settlement agreement.

23 While holding office as attorney general,
24 Warren Kenneth Paxton misused his official powers by
25 concealing his wrongful acts in connection with

1 whistleblower complaints made by employees whom Paxton
2 had terminated.

3 Specifically, Paxton entered into a
4 settlement agreement with the whistleblowers that
5 provides for payment of the settlement from public funds.
6 The settlement agreement stayed the wrongful termination
7 suit and conspicuously delayed the discovery of facts and
8 testimony at trial, to Paxton's advantage, which deprived
9 the electorate of its opportunity to make an informed
10 decision when voting for attorney general.

11 Shall this article of impeachment be
12 sustained? A yea vote is to convict; a nay vote is to
13 acquit. Please mark your ballots.

14 You may pick up the ballots. Ballots are
15 collected. Clerk will read them at random.

16 THE CLERK: Senator Gutierrez, yea; Senator
17 Johnson, nay; Senator Springer, nay; Senator Schwertner,
18 nay; Senator Campbell, nay; Senator Nichols, yea; Senator
19 West, yea; Senator Whitmire, yea; Senator Huffman, nay;
20 Senator Hinojosa, yea; Senator Zaffirini, nay; Senator
21 Blanco, yea; Senator La Mantia, nay; Senator Parker, nay;
22 Senator Hughes, nay; Senator Miles, nay; Senator
23 Eckhardt, nay; Senator Hancock, nay; Senator Menendez,
24 yea; Senator Birdwell, nay; Senator Hall, nay; Senator
25 Perry, nay; Senator Kolthorst, nay; Senator Bettencourt,

1 nay; Senator Creighton, nay; Senator Middleton, nay;
2 Senator Alvarado, yea; Senator King, nay; Senator Sparks,
3 nay; Senator Flores, nay.

4 8 yeas; 22 nays.

5 PRESIDING OFFICER: Confirming the votes.
6 Senator Alvarado?

7 SENATOR ALVARADO: Yea.

8 PRESIDING OFFICER: Senator Bettencourt?

9 SENATOR BETTENCOURT: Nay.

10 PRESIDING OFFICER: Senator Birdwell?

11 SENATOR BIRDWELL: Nay.

12 PRESIDING OFFICER: Senator Blanco?

13 SENATOR BLANCO: Yea.

14 PRESIDING OFFICER: Senator Campbell?

15 SENATOR CAMPBELL: Nay.

16 PRESIDING OFFICER: Senator Creighton?

17 SENATOR CREIGHTON: Nay.

18 PRESIDING OFFICER: Senator Eckhardt?

19 SENATOR ECKHARDT: Nay.

20 PRESIDING OFFICER: Senator Flores?

21 SENATOR FLORES: Nay.

22 PRESIDING OFFICER: Senator Gutierrez?

23 SENATOR GUTIERREZ: Yea.

24 PRESIDING OFFICER: Senator Hall?

25 SENATOR HALL: Nay.

1 PRESIDING OFFICER: Senator Hancock?

2 SENATOR HANCOCK: Nay.

3 PRESIDING OFFICER: Senator Hinojosa?

4 SENATOR HINOJOSA: Yea.

5 PRESIDING OFFICER: Senator Huffman?

6 SENATOR HUFFMAN: Nay.

7 PRESIDING OFFICER: Senator Hughes?

8 SENATOR HUGHES: Nay.

9 PRESIDING OFFICER: Senator Johnson?

10 SENATOR JOHNSON: Nay.

11 PRESIDING OFFICER: Senator King?

12 SENATOR KING: Nay.

13 PRESIDING OFFICER: Senator Kolkhorst?

14 SENATOR KOLKHORST: Nay.

15 PRESIDING OFFICER: Senator La Mantia?

16 SENATOR LA MANTIA: Nay.

17 PRESIDING OFFICER: Senator Menendez?

18 SENATOR MENENDEZ: Yea.

19 PRESIDING OFFICER: Senator Middleton?

20 SENATOR MIDDLETON: Nay.

21 PRESIDING OFFICER: Senator Miles?

22 SENATOR MILES: Yea.

23 PRESIDING OFFICER: We have you marked as a

24 nay on here. Did you say "yea" or "nay"?

25 SENATOR MILES: I'm sorry. Number 9, nay.

1 PRESIDING OFFICER: You're nay. Okay.

2 Senator Nichols?

3 SENATOR NICHOLS: Yea.

4 THE COURT: Senator Parker?

5 SENATOR PARKER: Nay.

6 PRESIDING OFFICER: Senator Perry? Senator

7 Perry?

8 SENATOR PERRY: Nay.

9 PRESIDING OFFICER: Senator Schwertner?

10 SENATOR SCHWERTNER: Nay.

11 PRESIDING OFFICER: Senator Sparks?

12 SENATOR SPARKS: Nay.

13 PRESIDING OFFICER: Senator Springer?

14 SENATOR SPRINGER: Nay.

15 PRESIDING OFFICER: Senator West?

16 SENATOR WEST: Yea.

17 PRESIDING OFFICER: Senator Whitmire?

18 SENATOR WHITMIRE: Nay.

19 PRESIDING OFFICER: Senator Zaffirini?

20 SENATOR ZAFFIRINI: Nay.

21 PRESIDING OFFICER: There being 8 yeas and

22 22 nays, a finding of acquittal is entered for Article

23 VIII.

24 Members, you will now vote on Article IX,

25 constitutional bribery, Paul's employment of mistress.

1 While holding office as attorney general,
2 Warren Kenneth Paxton engaged in bribery in violation of
3 Section 41, Article XVI, Texas Constitution.

4 Specifically, Paxton benefitted from Nate
5 Paul's employment of a woman with whom Paxton was having
6 an extramarital affair. Paul received favorable legal
7 assistance from or specialized access to the Office of
8 the Attorney General.

9 Shall this article of impeachment be
10 sustained? A yea vote is to convict; a nay vote is to
11 acquit. Please mark your voting form.

12 I believe you can collect. All ballots
13 collected. Secretary -- clerk of the court will read at
14 random.

15 THE CLERK: Menendez, yea; Birdwell, nay;
16 Hall, nay; Perry, nay; Kolkhorst, nay; Bettencourt, nay;
17 Creighton, nay; Middleton, nay; Alvarado, yea; Eckhardt,
18 yea; King, nay; Sparks, nay; Flores, nay; Hancock, nay;
19 Blanco, yea; La Mantia, yea; Parker, nay; Hughes, nay;
20 Miles, yea; Gutierrez, yea; Johnson, yea; Springer, nay;
21 Schwertner, nay; Campbell, nay, Nichols, nay; West, yea;
22 Whitmire, yea; Huffman, nay; Hinojosa, yea; Zaffirini,
23 yea.

24 12 yeas; 18 nays.

25 PRESIDING OFFICER: Confirming the vote.

1 Senator Alvarado?
2 SENATOR ALVARADO: Yea.
3 PRESIDING OFFICER: Senator Bettencourt?
4 SENATOR BETTENCOURT: Nay.
5 PRESIDING OFFICER: Senator Birdwell?
6 SENATOR BIRDWELL: Nay.
7 PRESIDING OFFICER: Senator Blanco?
8 SENATOR BLANCO: Yea.
9 PRESIDING OFFICER: Senator Campbell?
10 SENATOR CAMPBELL: Nay.
11 PRESIDING OFFICER: Senator Creighton?
12 SENATOR CREIGHTON: Nay.
13 PRESIDING OFFICER: Senator Eckhardt?
14 SENATOR ECKHARDT: Yea.
15 PRESIDING OFFICER: Senator Flores?
16 SENATOR FLORES: Nay.
17 PRESIDING OFFICER: Senator Gutierrez?
18 SENATOR GUTIERREZ: Yea.
19 PRESIDING OFFICER: Senator Hall?
20 SENATOR HALL: Nay.
21 PRESIDING OFFICER: Senator Hancock?
22 SENATOR HANCOCK: Nay.
23 PRESIDING OFFICER: Senator Hinojosa?
24 SENATOR HINOJOSA: Yea.
25 PRESIDING OFFICER: Senator Huffman?

1 SENATOR HUFFMAN: Nay.
2 PRESIDING OFFICER: Senator Hughes?
3 SENATOR HUGHES: Nay.
4 PRESIDING OFFICER: Senator Johnson?
5 SENATOR JOHNSON: Yea.
6 PRESIDING OFFICER: Senator King?
7 SENATOR KING: Nay.
8 PRESIDING OFFICER: Senator Kolkhorst?
9 SENATOR KOLKHORST: Nay.
10 PRESIDING OFFICER: Senator La Mantia?
11 SENATOR LA MANTIA: Yea.
12 PRESIDING OFFICER: Senator Menendez?
13 SENATOR MENENDEZ: Yea.
14 PRESIDING OFFICER: Senator Middleton?
15 SENATOR MIDDLETON: Nay.
16 PRESIDING OFFICER: Senator Miles?
17 SENATOR MIDDLETON: Yea.
18 PRESIDING OFFICER: Senator Nichols?
19 SENATOR NICHOLS: Nay.
20 PRESIDING OFFICER: Senator Parker?
21 SENATOR PARKER: Nay.
22 PRESIDING OFFICER: Senator Perry?
23 SENATOR PERRY: Nay.
24 PRESIDING OFFICER: Senator Schwertner?
25 SENATOR SCHWERTNER: Nay.

1 PRESIDING OFFICER: Senator Sparks?

2 SENATOR SPARKS: Nay.

3 PRESIDING OFFICER: Senator Springer?

4 SENATOR SPRINGER: Nay.

5 PRESIDING OFFICER: Senator West?

6 SENATOR WEST: Yea.

7 PRESIDING OFFICER: Senator Whitmire?

8 SENATOR WHITMIRE: Yea.

9 PRESIDING OFFICER: Senator Zaffirini?

10 SENATOR ZAFFIRINI: Yea.

11 PRESIDING OFFICER: There being 12 yeas and
12 18 nays, a finding of acquittal is entered for Article
13 IX.

14 We have 16 total articles to vote on. We
15 are now on Article Number X, constitutional bribery,
16 Paul's providing renovations to the Paxton home.

17 While holding office as attorney general,
18 Warren Kenneth Paxton engaged in bribery in violation of
19 Section 41, Article XVI, Texas Constitution.

20 Specifically, Paxton benefitted from Nate
21 Paul providing renovations to Paxton's home. Paul
22 received favorable legal assistance from or specialized
23 access to the Office of the Attorney General.

24 Shall this article of impeachment be
25 sustained? A yea vote is to convict; a nay vote is to

1 acquit. Please mark your ballots.

2 You may collect the ballots. All ballots
3 are collected. Clerk will read them at random.

4 THE CLERK: Senator Springer, nay; Senator
5 Schwertner, nay; Senator Campbell, nay; Senator Nichols,
6 yea; Senator West, yea; Senator Whitmire, yea; Senator
7 Huffman, nay; Senator Hinojosa, yea.

8 PRESIDING OFFICER: Matt, can you come
9 forward, please?

10 This ballot was not marked, Senator
11 Zaffirini, so we're going to return it to you. This is
12 Article X. Since you have recorded 72,000 consecutive
13 ballots and votes since the mid '80s as a Senator, I
14 didn't want you to miss one. I'm looking out for you.

15 THE CLERK: Senator Zaffirini, yea; Senator
16 Blanco, yea; Senator La Mantia, yea; Senator Parker, nay;
17 Senator Hughes, nay; Senator Miles, yea; Senator
18 Gutierrez, yea; Senator Johnson, yea; Senator Kolkhorst,
19 nay; Senator Bettencourt, nay; Senator Creighton, nay;
20 Senator Middleton, nay; Senator Alvarado, yea; Senator
21 Eckhardt, yea; Senator King, nay; Senator Sparks, nay;
22 Senator Flores, nay; Senator Hancock, yea; Senator
23 Menendez, yea; Senator Birdwell, nay; Senator Hall, nay;
24 Senator Perry, nay.

25 14 yeas; 16 nays.

1 PRESIDING OFFICER: I'll confirm the votes.
2 Senator Alvarado?
3 SENATOR ALVARADO: Yea.
4 PRESIDING OFFICER: Senator Bettencourt?
5 SENATOR BETTENCOURT: Nay.
6 PRESIDING OFFICER: Senator Birdwell?
7 SENATOR BIRDWELL: Nay.
8 PRESIDING OFFICER: Senator Blanco?
9 SENATOR BLANCO: Yea.
10 PRESIDING OFFICER: Senator Campbell?
11 SENATOR CAMPBELL: Nay.
12 PRESIDING OFFICER: Senator Creighton?
13 SENATOR CREIGHTON: Nay.
14 PRESIDING OFFICER: Senator Eckhardt?
15 SENATOR ECKHARDT: Yea.
16 PRESIDING OFFICER: Senator Flores?
17 SENATOR FLORES: Nay.
18 PRESIDING OFFICER: Senator Gutierrez?
19 SENATOR GUTIERREZ: Yea.
20 PRESIDING OFFICER: Senator Hall?
21 SENATOR HALL: Nay.
22 PRESIDING OFFICER: Senator Hancock?
23 SENATOR HANCOCK: Yea.
24 PRESIDING OFFICER: Senator Hinojosa?
25 SENATOR HINOJOSA: Yea.

1 PRESIDING OFFICER: Senator Huffman?
2 SENATOR HUFFMAN: Nay.
3 PRESIDING OFFICER: Senator Hughes?
4 SENATOR HUGHES: Nay.
5 PRESIDING OFFICER: Senator Johnson?
6 SENATOR JOHNSON: Yea.
7 PRESIDING OFFICER: Senator King?
8 SENATOR KING: Nay.
9 PRESIDING OFFICER: Senator Kolthorst?
10 SENATOR KOLKHORST: Nay.
11 PRESIDING OFFICER: Senator La Mantia?
12 SENATOR LA MANTIA: Yea.
13 PRESIDING OFFICER: Senator Menendez?
14 SENATOR MENENDEZ: Yea.
15 PRESIDING OFFICER: Senator Middleton?
16 SENATOR MIDDLETON: Nay.
17 PRESIDING OFFICER: Senator Miles?
18 SENATOR MILES: Yea.
19 PRESIDING OFFICER: Senator Nichols?
20 SENATOR NICHOLS: Yea.
21 PRESIDING OFFICER: Senator Parker?
22 SENATOR PARKER: Nay.
23 PRESIDING OFFICER: Senator Perry?
24 SENATOR PERRY: Nay.
25 PRESIDING OFFICER: Senator Schwertner?

1 SENATOR SCHWERTNER: Nay.

2 PRESIDING OFFICER: Senator Sparks?

3 SENATOR SPARKS: Nay.

4 PRESIDING OFFICER: Senator Springer?

5 SENATOR SPRINGER: Nay.

6 PRESIDING OFFICER: Senator West?

7 SENATOR WEST: Yea.

8 PRESIDING OFFICER: Senator Whitmire?

9 SENATOR WHITMIRE: Yea.

10 PRESIDING OFFICER: Senator Zaffirini?

11 SENATOR ZAFFIRINI: Yea.

12 PRESIDING OFFICER: There being 14 yeas, 16

13 nays, a finding of acquittal is entered as to Article X.

14 And if you've joined us in mid-session
15 online, it takes 21 votes to convict, and the attorney
16 general is removed from office if he's convicted on just
17 one of the 16 articles.

18 We are now to Article XI. I'm sorry. It's
19 Article XV because we skipped a few numbers.

20 Excuse me.

21 False statements in official records,
22 whistleblower response report. This is Article XV.

23 While holding office as attorney general,
24 Warren Kenneth Paxton made false or misleading statements
25 in official records to mislead both the public and public

1 officials.

2 Specifically, Paxton made or caused to be
3 made multiple false or misleading statements in a lengthy
4 written report issued by his office in response to
5 whistleblower allegations.

6 Shall this article of impeachment be
7 sustained? A yea vote is to convict; a nay vote is to
8 acquit. Please mark your voting form.

9 You may pick up the ballots. All the
10 ballots are in. The clerk will read them at random.

11 THE CLERK: Senator Eckhardt, yea; Senator
12 King, nay; Senator Sparks, nay; Senator Flores, nay;
13 Hancock, yea; Senator Menendez, yea; Senator Birdwell,
14 nay; Senator Hall, nay; Senator Perry, nay; Senator
15 Kolkhorst, nay; Senator Bettencourt, nay; Senator
16 Creighton, nay; Senator Middleton, nay; Senator Alvarado,
17 yea; Senator Miles, yea; Senator Gutierrez, yea; Senator
18 Johnson, yea; Senator Springer, nay; Senator Schwertner,
19 nay; Senator Campbell, nay; Senator Nichols, yea; Senator
20 West, yea; Senator Whitmire, yea; Senator Huffman, nay;
21 Senator Hinojosa, yea; Senator Zaffirini, yea; Senator
22 Blanco, yea; Senator La Mantia, yea; Senator Parker, nay;
23 Senator Hughes, nay.

24 14 yeas; 16 nays.

25 PRESIDING OFFICER: Confirming the vote.

1 Senator Alvarado?
2 SENATOR ALVARADO: Yea.
3 PRESIDING OFFICER: Senator Bettencourt?
4 SENATOR BETTENCOURT: Nay.
5 PRESIDING OFFICER: Senator Birdwell?
6 SENATOR BIRDWELL: Nay.
7 PRESIDING OFFICER: Senator Blanco?
8 SENATOR BLANCO: Yea.
9 PRESIDING OFFICER: Senator Campbell?
10 SENATOR CAMPBELL: Nay.
11 PRESIDING OFFICER: Senator Creighton?
12 SENATOR CREIGHTON: Nay.
13 PRESIDING OFFICER: Senator Eckhardt?
14 SENATOR ECKHARDT: Yea.
15 PRESIDING OFFICER: Senator Flores?
16 SENATOR FLORES: Nay.
17 PRESIDING OFFICER: Senator Gutierrez?
18 SENATOR GUTIERREZ: Yea.
19 PRESIDING OFFICER: Senator Hall?
20 SENATOR HALL: Nay.
21 PRESIDING OFFICER: Senator Hancock?
22 SENATOR HANCOCK: Yea.
23 PRESIDING OFFICER: Senator Hinojosa?
24 SENATOR HINOJOSA: Yea.
25 PRESIDING OFFICER: Senator Huffman?

1 SENATOR HUFFMAN: Nay.
2 PRESIDING OFFICER: Senator Hughes?
3 SENATOR HUGHES: Nay.
4 PRESIDING OFFICER: Senator Johnson?
5 SENATOR JOHNSON: Yea.
6 PRESIDING OFFICER: Senator King?
7 SENATOR KING: Nay.
8 PRESIDING OFFICER: Senator Kolthorst?
9 SENATOR KOLKHORST: Nay.
10 PRESIDING OFFICER: Senator La Mantia?
11 SENATOR LA MANTIA: Yea.
12 PRESIDING OFFICER: Senator Menendez?
13 SENATOR MENENDEZ: Yea.
14 PRESIDING OFFICER: Senator Middleton?
15 SENATOR MIDDLETON: Nay.
16 PRESIDING OFFICER: Senator Miles?
17 SENATOR MILES: Yea.
18 PRESIDING OFFICER: Senator Nichols?
19 SENATOR NICHOLS: Yea.
20 PRESIDING OFFICER: Senator Parker?
21 SENATOR PARKER: Nay.
22 PRESIDING OFFICER: Senator Perry?
23 SENATOR PERRY: Nay.
24 PRESIDING OFFICER: Senator Schwertner?
25 SENATOR SCHWERTNER: Nay.

1 PRESIDING OFFICER: Senator Sparks?

2 SENATOR SPARKS: Nay.

3 PRESIDING OFFICER: Senator Springer?

4 SENATOR SPRINGER: Nay.

5 PRESIDING OFFICER: Senator West?

6 SENATOR WEST: Yea.

7 PRESIDING OFFICER: Senator Whitmire?

8 SENATOR WHITMIRE: Yea.

9 PRESIDING OFFICER: Senator Zaffirini?

10 SENATOR ZAFFIRINI: Yea.

11 PRESIDING OFFICER: There being 14 aye --
12 yeas and 16 nays, the finding of acquittal is entered for
13 Article XV.

14 Members, you will now vote on Article XVI,
15 conspiracy and attempted conspiracy.

16 While holding office as attorney general,
17 Warren Kenneth Paxton acted with others to conspire or
18 attempt to conspire to commit acts described in one or
19 more articles.

20 Shall this article of impeachment be
21 sustained? A yea vote is to convict; a nay vote is to
22 acquit. Please mark your ballots.

23 I believe you can collect them. All the
24 ballots are in. Clerk will read them at random.

25 THE CLERK: Kolkhorst, nay; Bettencourt,

1 nay; Creighton, nay; Middleton, nay; Alvarado, yea;
2 Eckhardt, yea; King, nay; Sparks, nay; Flores, nay;
3 Hancock, yea; Menendez, yea; Birdwell, nay; Hall, nay;
4 Perry, nay; Schwertner, nay; Campbell, nay; Nichols, yea;
5 West, yea; Whitmire, yea; Huffman, nay; Hinojosa, yea;
6 Zaffirini, yea; Blanco, yea; La Mantia, yea; Parker, nay;
7 Hughes, nay; Miles, yea; Gutierrez, yea; Johnson, yea;
8 Springer, nay.

9 14 yeas; 16 nays.

10 PRESIDING OFFICER: Confirm the votes.

11 Senator Alvarado?

12 SENATOR ALVARADO: Yea.

13 PRESIDING OFFICER: Senator Bettencourt?

14 SENATOR BETTENCOURT: Nay.

15 PRESIDING OFFICER: Senator Birdwell?

16 SENATOR BIRDWELL: Nay.

17 PRESIDING OFFICER: Senator Blanco?

18 SENATOR BLANCO: Yea.

19 PRESIDING OFFICER: Senator Campbell?

20 SENATOR CAMPBELL: Nay.

21 PRESIDING OFFICER: Senator Creighton?

22 SENATOR CREIGHTON: Nay.

23 PRESIDING OFFICER: Senator Eckhardt?

24 SENATOR ECKHARDT: Yea.

25 PRESIDING OFFICER: Senator Flores?

1 SENATOR FLORES: Nay.
2 PRESIDING OFFICER: Senator Gutierrez?
3 SENATOR GUTIERREZ: Yea.
4 PRESIDING OFFICER: Senator Hall?
5 SENATOR HALL: Nay.
6 PRESIDING OFFICER: Senator Hancock?
7 SENATOR HANCOCK: Yea.
8 PRESIDING OFFICER: Senator Hinojosa?
9 SENATOR HINOJOSA: Yea.
10 PRESIDING OFFICER: Senator Huffman?
11 SENATOR HUFFMAN: Nay.
12 PRESIDING OFFICER: Senator Hughes?
13 SENATOR HUGHES: Nay.
14 PRESIDING OFFICER: Senator Johnson?
15 SENATOR JOHNSON: Yea.
16 PRESIDING OFFICER: Senator King?
17 SENATOR KING: Nay.
18 PRESIDING OFFICER: Senator Kolkhorst?
19 SENATOR KOLKHORST: Nay.
20 PRESIDING OFFICER: Senator La Mantia?
21 SENATOR LA MANTIA: Yea.
22 PRESIDING OFFICER: Senator Menendez?
23 SENATOR MENENDEZ: Yea.
24 PRESIDING OFFICER: Senator Middleton?
25 SENATOR MIDDLETON: Nay.

1 PRESIDING OFFICER: Senator Hugh -- I'm
2 sorry, Senator Miles?

3 SENATOR MILES: Yea.

4 PRESIDING OFFICER: Senator Nichols?

5 SENATOR NICHOLS: Yea.

6 PRESIDING OFFICER: Senator Parker?

7 SENATOR PARKER: Nay.

8 PRESIDING OFFICER: Senator Perry?

9 SENATOR PERRY: Nay.

10 PRESIDING OFFICER: Senator Schwertner?

11 SENATOR SCHWERTNER: Nay.

12 PRESIDING OFFICER: Senator Sparks?

13 SENATOR SPARKS: Nay.

14 PRESIDING OFFICER: Senator Springer?

15 SENATOR SPRINGER: Nay.

16 PRESIDING OFFICER: Senator West?

17 SENATOR WEST: Yea.

18 PRESIDING OFFICER: Senator Whitmire?

19 SENATOR WHITMIRE: Yea.

20 PRESIDING OFFICER: Senator Zaffirini?

21 SENATOR ZAFFIRINI: Yea.

22 PRESIDING OFFICER: 14 yeas; 16 nays. A
23 finding of acquittal is entered for Article XVI. We have
24 four articles remaining.

25 Members, you are now voting on Article

1 XVII, misappropriation of public resources.

2 While holding office as attorney general,
3 Warren Kenneth Paxton misused his official powers by
4 causing employees of his office to perform services for
5 his benefit and the benefit of others.

6 Shall this article of impeachment be
7 sustained? A yea vote is to convict; a nay vote is to
8 acquit. Please mark your ballots.

9 You may pick them up. All ballots have
10 been turned in. The clerk will read them in random.

11 THE CLERK: Alvarado, yea; Eckhardt, yea;
12 Senator King, nay; Senator Sparks, nay; Senator Flores,
13 nay; Senator Hancock, yea; Senator Menendez, yea; Senator
14 Birdwell, nay; Senator Hall, nay; Senator Perry, nay;
15 Senator Kolkhorst, nay; Senator Bettencourt, nay; Senator
16 Creighton, nay; Senator Middleton, nay; Senator
17 Schwertner, nay; Senator Campbell, nay; Senator Nichols,
18 yea; Senator West, yea; Senator Whitmire, yea; Senator
19 Huffman, nay; Senator Hinojosa, yea; Senator Zaffirini,
20 yea; Senator Blanco, yea; Senator La Mantia, yea; Senator
21 Parker, nay; Senator Hughes, nay; Senator Miles, yea;
22 Senator Gutierrez, yea; Senator Johnson, yea; Senator
23 Springer, nay.

24 14 yeas; 16 nays.

25 PRESIDING OFFICER: Confirming the vote.

1 Senator Alvarado?
2 SENATOR ALVARADO: Yea.
3 PRESIDING OFFICER: Senator Bettencourt?
4 SENATOR BETTENCOURT: Nay.
5 PRESIDING OFFICER: Senator Birdwell?
6 SENATOR BIRDWELL: Nay.
7 PRESIDING OFFICER: Senator Blanco?
8 SENATOR BLANCO: Yea.
9 PRESIDING OFFICER: Senator Campbell?
10 SENATOR CAMPBELL: Nay.
11 PRESIDING OFFICER: Senator Creighton?
12 SENATOR CREIGHTON: Nay.
13 PRESIDING OFFICER: Senator Eckhardt?
14 SENATOR ECKHARDT: Yea.
15 PRESIDING OFFICER: Senator -- Senator
16 Flores?
17 SENATOR FLORES: Nay.
18 PRESIDING OFFICER: Senator Gutierrez?
19 SENATOR GUTIERREZ: Yea.
20 PRESIDING OFFICER: Senator Hall?
21 SENATOR HALL: Nay.
22 PRESIDING OFFICER: Senator Hancock?
23 SENATOR HANCOCK: Yea.
24 PRESIDING OFFICER: Senator Hinojosa?
25 SENATOR HINOJOSA: Yea.

1 PRESIDING OFFICER: Senator Huffman?
2 SENATOR HUFFMAN: Nay.
3 PRESIDING OFFICER: Senator Hughes?
4 SENATOR HUGHES: Nay.
5 PRESIDING OFFICER: Senator Johnson?
6 SENATOR JOHNSON: Yea.
7 PRESIDING OFFICER: Senator King?
8 SENATOR KING: Nay.
9 PRESIDING OFFICER: Senator Kolthorst?
10 SENATOR KOLKHORST: Nay.
11 PRESIDING OFFICER: Senator La Mantia?
12 SENATOR LA MANTIA: Yea.
13 PRESIDING OFFICER: Senator Menendez?
14 SENATOR MENENDEZ: Yea.
15 PRESIDING OFFICER: Senator Middleton?
16 SENATOR MIDDLETON: Nay.
17 PRESIDING OFFICER: Senator Miles?
18 SENATOR MILES: Yea.
19 PRESIDING OFFICER: Senator Nichols?
20 SENATOR NICHOLS: Yea.
21 PRESIDING OFFICER: Senator Parker?
22 SENATOR PARKER: Nay.
23 PRESIDING OFFICER: Senator Perry?
24 SENATOR PERRY: Nay.
25 PRESIDING OFFICER: Senator Schwertner?

1 SENATOR SCHWERTNER: Nay.

2 PRESIDING OFFICER: Senator Sparks?

3 SENATOR SPARKS: Nay.

4 PRESIDING OFFICER: Senator Springer?

5 SENATOR SPRINGER: Nay.

6 PRESIDING OFFICER: Senator Whitmire?

7 SENATOR WHITMIRE: Aye.

8 PRESIDING OFFICER: Senator West?

9 SENATOR WEST: Aye.

10 PRESIDING OFFICER: And Senator Zaffirini?

11 SENATOR ZAFFIRINI: Yea.

12 PRESIDING OFFICER: 14 yeas; 16 nays. A

13 finding of acquittal is entered to Article XVII.

14 Members, you will now vote on Article
15 XVIII, dereliction of duty.

16 While holding office as attorney general,
17 Warren Kenneth Paxton violated the Texas Constitution,
18 his oaths of office, statutes, and public policy against
19 public officials acting contrary to the public interest
20 by engaging in acts described in one or more articles.

21 Shall this Article of Impeachment be
22 sustained? A yea vote is to convict; a nay vote is to
23 acquit. Please mark your voting form.

24 I believe you can collect the ballots. All
25 ballots have been collected. The clerk will read them at

1 random.

2 THE CLERK: Senator Blanco, yea; Senator La
3 Mantia, yea; Senator Parker, nay; Senator Hughes, nay;
4 Senator Miles, yea; Senator Gutierrez, yea; Senator
5 Johnson, yea; Senator Springer, nay; Senator Schwertner,
6 nay; Senator Campbell, nay; Senator Nichols, yea; Senator
7 West, yea; Senator Whitmire, yea; Senator Huffman, nay;
8 Senator Hinojosa, yea; Senator Zaffirini, yea; Senator
9 Menendez, yea; Senator Birdwell, nay; Senator Hall, nay;
10 Senator Perry, nay; Senator Kolthorst, nay; Senator
11 Bettencourt, nay; Senator Creighton, nay; Senator
12 Middleton, nay; Senator Alvarado, yea; Senator King, nay;
13 Senator Sparks, nay; Senator Flores, nay; Senator
14 Hancock, yea.

15 PRESIDING OFFICER: We're going to recheck
16 them.

17 THE CLERK: 14 yeas; 16 nays.

18 PRESIDING OFFICER: Confirming the vote.
19 Senator Alvarado?

20 SENATOR ALVARADO: Yea.

21 PRESIDING OFFICER: Senator Bettencourt?

22 SENATOR BETTENCOURT: Nay.

23 PRESIDING OFFICER: Senator Birdwell?

24 SENATOR BIRDWELL: Nay.

25 PRESIDING OFFICER: Senator Blanco?

1 SENATOR BLANCO: Yea.
2 PRESIDING OFFICER: Senator Campbell?
3 SENATOR CAMPBELL: Nay.
4 PRESIDING OFFICER: Senator Creighton?
5 SENATOR CREIGHTON: Nay.
6 PRESIDING OFFICER: Senator Eckhardt?
7 SENATOR ECKHARDT: Yea.
8 PRESIDING OFFICER: Senator Flores?
9 SENATOR FLORES: Nay.
10 PRESIDING OFFICER: Senator Gutierrez?
11 SENATOR GUTIERREZ: Yea.
12 PRESIDING OFFICER: Senator Hall?
13 SENATOR HALL: Nay.
14 PRESIDING OFFICER: Senator Hancock?
15 SENATOR HANCOCK: Nay.
16 PRESIDING OFFICER: Senator Hinojosa?
17 SENATOR HINOJOSA: Yea.
18 PRESIDING OFFICER: Senator Huffman?
19 SENATOR HUFFMAN: Nay.
20 PRESIDING OFFICER: Senator Hughes?
21 SENATOR HUGHES: Nay.
22 PRESIDING OFFICER: Senator Johnson?
23 SENATOR JOHNSON: Yea.
24 PRESIDING OFFICER: Senator King?
25 SENATOR KING: Nay.

1 PRESIDING OFFICER: Senator Kolkhorst?
2 SENATOR KOLKHORST: Nay.
3 PRESIDING OFFICER: Senator La Mantia?
4 SENATOR LA MANTIA: Yea.
5 PRESIDING OFFICER: Senator Menendez?
6 SENATOR MENENDEZ: Yea.
7 PRESIDING OFFICER: Senator Middleton?
8 SENATOR MIDDLETON: Nay.
9 PRESIDING OFFICER: Senator Miles?
10 SENATOR MILES: Yea.
11 PRESIDING OFFICER: Senator Nichols?
12 SENATOR NICHOLS: Yea.
13 PRESIDING OFFICER: Senator Parker?
14 SENATOR PARKER: Nay.
15 PRESIDING OFFICER: Senator Perry?
16 SENATOR PERRY: Nay.
17 PRESIDING OFFICER: Senator Schwertner?
18 SENATOR SCHWERTNER: Nay.
19 PRESIDING OFFICER: Senator Sparks?
20 SENATOR SPARKS: Nay.
21 PRESIDING OFFICER: Senator Springer?
22 SENATOR SPRINGER: Nay.
23 PRESIDING OFFICER: Senator West?
24 SENATOR WEST: Yea.
25 PRESIDING OFFICER: Senator Whitmire?

1 SENATOR WHITMIRE: Yea.

2 PRESIDING OFFICER: Senator Zaffirini?

3 SENATOR ZAFFIRINI: Yea.

4 PRESIDING OFFICER: There being 14 yeas and
5 16 nays, a finding of acquittal is entered as to Article
6 XVIII.

7 Members, you will now vote on Article XIX,
8 unfitness for office.

9 While holding office as attorney general,
10 Warren Kenneth Paxton engaged in misconduct, private or
11 public, of such character as to indicate his unfitness
12 for office, as shown by the acts described in one or more
13 articles.

14 Shall this Article of Impeachment be
15 sustained? A yea vote is to convict; a nay vote is to
16 acquit. Please mark -- please mark your ballots.

17 You may pick up the ballots. All the
18 ballots are collected. The clerk will read them at
19 random.

20 THE CLERK: La Mantia, yea; Parker, nay;
21 Hughes, nay; Miles, yea; Gutierrez, yea; Johnson, yea;
22 Springer, nay; Schwertner, nay; Campbell, nay; Nichols,
23 yea; West, yea; Whitmire, yea; Huffman, nay; Hinojosa,
24 yea; Zaffirini, yea; Hancock, yea; Menendez, yea;
25 Birdwell, nay; Hall, nay; Perry, nay; Kolchorst, nay;

1 Bettencourt, nay; Creighton, nay; Middleton, nay;
2 Alvarado, yea; Eckhardt, yea; King, nay; Sparks, nay;
3 Flores, nay; Blanco, yea.

4 14 yeas; 16 nays.

5 PRESIDING OFFICER: Confirming the vote.
6 Senator Alvarado?

7 SENATOR ALVARADO: Yea.

8 PRESIDING OFFICER: Senator Bettencourt?

9 SENATOR BETTENCOURT: Nay.

10 PRESIDING OFFICER: Senator Birdwell?

11 SENATOR BIRDWELL: Nay.

12 PRESIDING OFFICER: Senator Blanco?

13 SENATOR BLANCO: Yea.

14 PRESIDING OFFICER: Senator Campbell?

15 SENATOR CAMPBELL: Nay.

16 PRESIDING OFFICER: Senator Creighton?

17 SENATOR CREIGHTON: Nay.

18 PRESIDING OFFICER: Senator Eckhardt?

19 SENATOR ECKHARDT: Yea.

20 PRESIDING OFFICER: Senator Flores?

21 SENATOR FLORES: Nay.

22 PRESIDING OFFICER: Senator Gutierrez.

23 SENATOR GUTIERREZ: Aye.

24 PRESIDING OFFICER: Senator Hall?

25 SENATOR HALL: Nay.

1 PRESIDING OFFICER: I got it. Senator
2 Hancock?

3 SENATOR HANCOCK: Yea.

4 PRESIDING OFFICER: Senator Hinojosa?

5 SENATOR HINOJOSA: Yea.

6 PRESIDING OFFICER: Senator Huffman?

7 SENATOR HUFFMAN: Nay.

8 PRESIDING OFFICER: Senator Hughes?

9 SENATOR HUGHES: Nay.

10 PRESIDING OFFICER: Senator Johnson?

11 SENATOR JOHNSON: Yea.

12 PRESIDING OFFICER: Senator King?

13 SENATOR KING: Nay.

14 PRESIDING OFFICER: Senator Kolthorst?

15 SENATOR KOLKHORST: Nay.

16 PRESIDING OFFICER: Senator La Mantia?

17 SENATOR LA MANTIA: Yea.

18 PRESIDING OFFICER: Senator Menendez?

19 SENATOR MENENDEZ: Yea.

20 PRESIDING OFFICER: Senator -- Senator
21 Middleton?

22 SENATOR MIDDLETON: Nay.

23 PRESIDING OFFICER: Senator Miles?

24 SENATOR MILES: Yea.

25 PRESIDING OFFICER: Senator Nichols?

1 SENATOR NICHOLS: Yea.

2 PRESIDING OFFICER: Senator Parker?

3 SENATOR PARKER: Nay.

4 PRESIDING OFFICER: Senator Perry?

5 SENATOR PERRY: Nay.

6 PRESIDING OFFICER: Senator Schwertner?

7 SENATOR SCHWERTNER: Nay.

8 PRESIDING OFFICER: Senator Sparks?

9 SENATOR SPARKS: Nay.

10 PRESIDING OFFICER: Senator Springer?

11 SENATOR SPRINGER: Nay.

12 PRESIDING OFFICER: Senator Whitmire?

13 SENATOR WHITMIRE: Yea.

14 PRESIDING OFFICER: Senator West?

15 SENATOR WEST: Yea.

16 PRESIDING OFFICER: Senator Zaffirini?

17 SENATOR ZAFFIRINI: Yea.

18 PRESIDING OFFICER: 14 yeas; 16 nays. A

19 finding of acquittal is entered for Article XIX.

20 Members, this is the last article for you
21 to vote on, Article XX, abuse of public trust.

22 While holding office as attorney general,
23 Warren Kenneth Paxton used, misused, or failed to use his
24 official powers in a manner calculated to subvert the
25 lawful operation of the government of the State of Texas

1 and to obstruct the fair and impartial administration of
2 justice, thereby bringing the Office of Attorney General
3 into scandal and disrepute to the prejudice of public
4 confidence in the government of this state, as shown by
5 the acts described in one or more articles.

6 Shall this Article of Impeachment be
7 sustained? A yea vote is to convict; a nay vote is to
8 acquit. Please mark your ballots.

9 Ready to pick up. All ballots are
10 collected. Clerk will read them at random.

11 THE CLERK: Senator Springer, nay;
12 Schwertner, nay; Senator Campbell, nay; Senator Nichols,
13 yea; Senator West, yea; Senator Whitmire, yea; Senator
14 Huffman, nay; Senator Hinojosa, yea; Senator Zaffirini,
15 yea; Senator Blanco, yea; Senator La Mantia, yea; Senator
16 Parker, nay; Senator Hughes, nay; Senator Miles, yea;
17 Senator Gutierrez, yea; Senator Johnson, yea; Senator
18 Alvarado, yea; Senator Eckhardt, yea; Senator King, nay;
19 Senator Sparks, nay; Senator Flores, nay; Senator
20 Hancock, yea; Senator Menendez, yea; Senator Birdwell,
21 nay; Senator Hall, nay; Senator Perry, nay; Senator
22 Kolkhorst, nay; Senator Bettencourt, nay; Senator
23 Creighton, nay; Senator Middleton, nay.

24 14 yeas; 16 nays.

25 PRESIDING OFFICER: Confirming the vote.

1 Senator Alvarado?
2 SENATOR ALVARADO: Yea.
3 PRESIDING OFFICER: Senator Bettencourt?
4 SENATOR BETTENCOURT: Nay.
5 PRESIDING OFFICER: Senator Birdwell?
6 SENATOR BIRDWELL: Nay.
7 PRESIDING OFFICER: Senator Blanco?
8 SENATOR BLANCO: Yea.
9 PRESIDING OFFICER: Senator Campbell?
10 SENATOR CAMPBELL: Nay.
11 PRESIDING OFFICER: Senator Creighton?
12 SENATOR CREIGHTON: Nay.
13 PRESIDING OFFICER: Senator Eckhardt?
14 SENATOR ECKHARDT: Yea.
15 PRESIDING OFFICER: Senator Flores?
16 SENATOR FLORES: Nay.
17 PRESIDING OFFICER: Senator Gutierrez?
18 SENATOR GUTIERREZ: Yea.
19 PRESIDING OFFICER: Senator Hall?
20 SENATOR HALL: Nay.
21 PRESIDING OFFICER: Senator Hancock?
22 SENATOR HANCOCK: Yea.
23 PRESIDING OFFICER: Senator Hino -- that
24 was a yea, correct? Senator Hancock, that was a yea?
25 SENATOR HANCOCK: Yea.

1 PRESIDING OFFICER: Senator Hinojosa?
2 SENATOR HINOJOSA: Yea.
3 PRESIDING OFFICER: Senator Huffman?
4 SENATOR HUFFMAN: Nay.
5 PRESIDING OFFICER: Senator Hughes?
6 SENATOR HUGHES: Nay.
7 PRESIDING OFFICER: Senator Johnson?
8 SENATOR JOHNSON: Yea.
9 PRESIDING OFFICER: Senator King?
10 SENATOR KING: Nay.
11 PRESIDING OFFICER: Senator Kolthorst?
12 SENATOR KOLKHORST: Nay.
13 PRESIDING OFFICER: Senate La Mantia?
14 SENATOR LA MANTIA: Yea.
15 PRESIDING OFFICER: Senator Menendez?
16 SENATOR MENENDEZ: Yea.
17 PRESIDING OFFICER: Senator Middleton?
18 SENATOR MIDDLETON: Nay.
19 PRESIDING OFFICER: Senator Miles?
20 SENATOR MILES: Yea.
21 PRESIDING OFFICER: Senator Nichols?
22 SENATOR NICHOLS: Yea.
23 PRESIDING OFFICER: Senator Parker?
24 SENATOR PARKER: Nay.
25 PRESIDING OFFICER: Senator Perry?

1 SENATOR PERRY: Nay.

2 PRESIDING OFFICER: Senator Schwert --
3 Schwertner? Excuse me.

4 SENATOR SCHWERTNER: Nay.

5 PRESIDING OFFICER: Senator Sparks?

6 SENATOR SPARKS: Nay.

7 PRESIDING OFFICER: Senator Springer?

8 SENATOR SPRINGER: Nay.

9 PRESIDING OFFICER: Senator West?

10 SENATOR WEST: Yea.

11 PRESIDING OFFICER: Senator Whitmire?

12 SENATOR WHITMIRE: Yea.

13 PRESIDING OFFICER: Senator Zaffirini?

14 SENATOR ZAFFIRINI: Yea.

15 PRESIDING OFFICER: There being 14 yeas and
16 16 nays, a finding of acquittal is entered as to Article
17 XX.

18 Senator Birdwell, I understand you have a
19 motion.

20 SENATOR BIRDWELL: Mr. President, under
21 Rule 30(b), I move the dismissal of the remaining
22 Articles of Impeachment, Article XI, Article XII, Article
23 XIII, and Article XIV, that were held in abeyance. A
24 dismissal in this context does not constitute an
25 acquittal of any charge containing the Articles of

1 Impeachment, but would constitute a final decision by the
2 Senate on the Articles of Impeachment, and the
3 impeachment would no longer be pending for purposes of
4 Article XV, Section 5, of the Texas Constitution. The
5 Court of Impeachment would dissolve upon further motion
6 to adjourn sine die, Mr. President.

7 PRESIDING OFFICER: Members, you still have
8 a blank form on your desk, so you will vote yea as to
9 dismiss the remaining articles; nay is to deny the motion
10 to dismiss. So yea is to dismiss; a nay vote is to deny.
11 Please mark your ballots carefully. A yea vote is to
12 grant the motion; a nay vote is to deny the motion.

13 Bailiff, you may collect the votes. The
14 ballots have been collected. The clerk will read them at
15 random. This is a simple 16 vote on the motion, not 21.

16 THE CLERK: Senator Hall, yea; Senator
17 Perry, yea; Senator Kolkhorst, yea; Senator Bettencourt,
18 yea; Senator Creighton, yea; Senator Middleton, yea;
19 Senator Alvarado, nay; Senator Eckhardt, nay; Senator
20 King, yea; Senator Sparks, yea; Senator Flores, yea;
21 Senator Hancock, yea; Senator Menendez, nay; Senator
22 Birdwell, yea; Senator Blanco, nay; Senator La Mantia,
23 nay; Senator Parker, yea; Senator Hughes, yea; Senator
24 Miles, nay; Senator Gutierrez, nay; Senator Johnson, nay;
25 Senator Springer, yea; Senator Schwertner, yea; Senator

1 Campbell, yea; Senator Nichols, yea; Senator West, nay;
2 Senator Whitmire, nay; Senator Huffman, yea; Senator
3 Hinojosa, yea; Senator Zaffirini, nay.

4 19 yeas; 11 nays.

5 PRESIDING OFFICER: I'll now confirm these
6 votes to grant the motion by Senator Birdwell.

7 Senator Alvarado?

8 SENATOR ALVARADO: Nay.

9 PRESIDING OFFICER: Senator Bettencourt?

10 SENATOR BETTENCOURT: Yea.

11 PRESIDING OFFICER: Senator Birdwell?

12 SENATOR BIRDWELL: Yea.

13 PRESIDING OFFICER: Senator Blanco?

14 SENATOR BLANCO: Nay.

15 PRESIDING OFFICER: Senator Campbell?

16 SENATOR CAMPBELL: Yea.

17 PRESIDING OFFICER: Senator Creighton?

18 SENATOR CREIGHTON: Yea.

19 PRESIDING OFFICER: Senator Eckhardt?

20 SENATOR ECKHARDT: Nay.

21 PRESIDING OFFICER: Senator Flores?

22 SENATOR FLORES: Yea.

23 PRESIDING OFFICER: Senator Gutierrez?

24 SENATOR GUTIERREZ: Nay.

25 PRESIDING OFFICER: Senator Hall?

1 SENATOR HALL: Yea.
2 PRESIDING OFFICER: Senator Hancock?
3 SENATOR HANCOCK: Yea.
4 PRESIDING OFFICER: Senator Hinojosa?
5 SENATOR HINOJOSA: Yea.
6 PRESIDING OFFICER: Senator Huffman?
7 SENATOR HUFFMAN: Yea.
8 PRESIDING OFFICER: Senator Hughes?
9 SENATOR HUGHES: Yea.
10 PRESIDING OFFICER: Senator Johnson?
11 SENATOR JOHNSON: Nay.
12 PRESIDING OFFICER: Senator King?
13 SENATOR KING: Yea.
14 PRESIDING OFFICER: Senator Kolthorst?
15 SENATOR KOLKHORST: Yea.
16 PRESIDING OFFICER: Senator La Mantia?
17 SENATOR LA MANTIA: Nay.
18 PRESIDING OFFICER: Senator Menendez?
19 SENATOR MENENDEZ: Nay.
20 PRESIDING OFFICER: Senator Middleton?
21 SENATOR MIDDLETON: Yea.
22 PRESIDING OFFICER: Senator Miles?
23 SENATOR MILES: Nay.
24 PRESIDING OFFICER: Senator Nichols?
25 SENATOR NICHOLS: Yea.

1 PRESIDING OFFICER: Senator Parker?

2 SENATOR PARKER: Yea.

3 PRESIDING OFFICER: Senator Perry?

4 SENATOR PERRY: Yea.

5 PRESIDING OFFICER: Senator Schwertner?

6 SENATOR SCHWERTNER: Yea.

7 PRESIDING OFFICER: Senator Sparks?

8 SENATOR SPARKS: Yea.

9 PRESIDING OFFICER: Senator Springer?

10 SENATOR SPRINGER: Yea.

11 PRESIDING OFFICER: Senator West?

12 SENATOR WEST: Nay.

13 PRESIDING OFFICER: Senator Whitmire?

14 SENATOR WHITMIRE: Nay.

15 PRESIDING OFFICER: Senator Zaffirini?

16 SENATOR ZAFFIRINI: Nay.

17 PRESIDING OFFICER: There being 19 yeas and
18 11 yeas, the motion is granted.

19 Members, before we adjourn, I'm going to
20 make a couple of remarks to put in the record. Also I
21 want to remind you under Rule 8 of the rules that you
22 passed, each of you can enter a written statement into
23 the record over the next 72 hours. It would have to be
24 in the next 72 hours. I remind you this is an historic
25 event, and as we look back at the last impeachments here,

1 there was much to learn. And you have that opportunity
2 to leave your thoughts and your remarks, as I will here
3 in a moment for others to look at in case there's another
4 impeach -- impeachment at some time in the future of
5 Texas.

6 However, before I make my remarks, I want
7 to excuse my legal counsel, Judge Lana Myers, who has
8 been just an extraordinary, extraordinary person to work
9 with and has become a great friend, and she's just been
10 terrific, before a Judge on the Fifth Circuit -- on the
11 Fifth Court of Appeals, rather, criminal court Judge, and
12 a longtime prosecutor from Dallas. And I could not have
13 done this without you.

14 (Applause)

15 Members, I have just a few minutes of
16 comments, about five minutes. I've been unusually quiet
17 for the last three months since the House of
18 Representatives sent the Articles of Impeachment against
19 the attorney general to us on very short notice in the
20 final hours of the regular legislative session. The law
21 requires the Senate to receive the articles and have a
22 trial. And once I realized I would be the Presiding
23 Officer and Judge, I thought it was my duty to be quiet
24 on this issue. Otherwise, how could I oversee a fair
25 trial? I've done my very best to do so the last three

1 months and especially in the last two weeks.

2 Now that the trial is over, I want to take
3 a few minutes before we close to put a few remarks in the
4 Court record for future Legislatures to read in the event
5 of another impeachment one day on both what the House and
6 Senate did.

7 Senators, first, I want to once again thank
8 you for doing your work. You all were thorough. You
9 were thoughtful. You were professional. I watched all
10 of you each day listen intently to every word that was
11 said by every witness. Many of you took notes nonstop.

12 I want to thank the rules committee,
13 Senator Birdwell, the chair. I want to thank the rules
14 committee for their tireless work, Senator Huffman,
15 Senator West, Senator Hinojosa, Senator Creighton,
16 Senator King, Senator Flores. You worked many hours for
17 the last three months. You wrote 31 rules that were
18 approved by the Senate 25 to 3, and those Senators, when
19 you brought them to them, they made adjustments and
20 suggestions to those rules, as you know. It was a
21 collaborative effort from all members.

22 All of us studied past impeachments from
23 all across the country to learn from the mistakes of past
24 impeachments so we wouldn't make the same errors. Now,
25 the 31 rules weren't perfect, but you can be proud of the

1 rules you passed. They were our guide for these last 90
2 days or so and through this process.

3 I want to mention one rule that really
4 stands out to me for future Legislatures, I believe, to
5 follow, and that was putting a reasonable time clock on
6 both parties to present their case. Otherwise, this
7 trial could have lasted, as some others have, for months
8 or at least four or five weeks. Both sides were in
9 agreement immediately on the time clock and how it should
10 be allocated, and I appreciate both parties for your
11 cooperation not only on that -- and much of that was
12 actually part of your suggestion as well -- but on every
13 rule. I said to both parties when we met here a week
14 before the trial to do a walk-through that we wanted to
15 have a fair trial and protect the integrity of the body,
16 the integrity of this great chamber, and each of you
17 fulfilled that. I was proud of both of you, how you
18 conducted yourselves on the Court.

19 I feel it's important to set the full
20 record straight on this trial because I want people in
21 the future to have a full picture of what happened and
22 how did we get here. I've spent most of the last 90
23 days, as many of you have, preparing for this trial.
24 I've issued over 240 subpoenas. I've studied numerous
25 motions, written multiple orders, read hundreds of pages

1 of history, rules, documents, and worked on every detail
2 of this trial with you and with our incredible Secretary
3 of the Senate, the clerk of the court, who turned this
4 chamber into a courtroom and her great staff.

5 I have had a total view of this process
6 from the very first day the House sent over the Articles
7 of Impeachment to us in May. With all due respect to the
8 House, we didn't need to be told in the final arguments
9 how important this vote was. I believe the quote was,
10 This will, if you're like me, be the hardest and most
11 difficult, the heaviest vote that you will ever cast in
12 your time in the Legislature. This vote will be the vote
13 you're remembered for most. Our members already knew
14 that and have known that for the last three months.

15 If only the House members who voted for
16 impeachment would have followed that instruction in the
17 House, we may not have been here. In the House the vote
18 to send the Articles of Impeachment against the attorney
19 general to the Senate happened in only a few days with
20 virtually no time for 150 members to even study the
21 articles. The Speaker and his team rammed through the
22 first impeachment of the statewide official in Texas in
23 over 100 years while paying no attention to the precedent
24 that the House set in every other impeachment before.

25 In the past, the House had transparent and

1 open investigations for all to see, including other House
2 members. The target of the investigation was notified
3 and invited to attend with counsel and given an
4 opportunity to cross-examine the witnesses that were
5 placed under oath before testimony was taken. At the
6 conclusion of past House investigations, the evidence was
7 laid out for weeks for House members to evaluate, not
8 ours, before they took their vote on Articles of
9 Impeachment.

10 Representative John Smithee, a longtime
11 House member who has argued cases before the Texas
12 Supreme Court, spoke on the House floor during
13 impeachment vote in May. He was one of only 23 who voted
14 against impeachment. Representative Smithee said the
15 House could not legitimately impeach General Paxton on
16 the record because there was no record to send to the
17 Senate. He said the House was not following the rule of
18 law. He said the House approach -- and I quote
19 Representative Smithee -- "Hang them now and judge them
20 later."

21 Confirming this, Representative Murr, the
22 chair of the House investigating committee, said on the
23 House floor, the House is not the body that does the fact
24 finding. The fact finding occurs in the Senate, and the
25 oath for any witnesses would occur there. Well, that's

1 just not true. As Representative Smithee said, that's
2 exactly what they did in 1917. He said the last House
3 impeachment of a statewide official in 1917 was Governor
4 Ferguson. John Smithee said it was conducted like a full
5 trial before the House sent it to the Senate. Witnesses
6 were put under oath and cross-examined by the defendant.
7 He said this time no House witnesses were put under oath,
8 and the defendant was denied the right to cross-examine.
9 Representative Smithee told his fellow members the House
10 process was indefensible. Representative Smithee said
11 the House did not follow the rules of evidence, and their
12 case was based on triple hearsay that would never be
13 allowed in court.

14 I think Representative Smithee's speech was
15 one of the most honest and courageous speeches I've ever
16 heard in the House. And if you want to watch it online,
17 go to YouTube. Look up John Smithee -- that's
18 S-m-i-t-h-e-e -- his floor speech on the Paxton
19 impeachment. It's an amazing, courageous speech to give
20 when he knew he was only one of 23 not voting for
21 impeachment.

22 In the next regular session, we should
23 amend the constitution on the issue of impeachment as
24 currently written that allowed this flawed process to
25 happen. Any testimony given in a House impeachment

1 investigation must be given under oath, and the target of
2 that impeachment must be allowed to present with a lawyer
3 to cross-examine the witnesses; otherwise, people can say
4 anything they want without any accountability or need to
5 be truthful because there is no threat of perjury. The
6 House must also give members a minimum of two weeks to
7 review all evidence given under oath before voting on
8 such a serious matter. Had they done those two things,
9 this trial may never have happened.

10 And when the House sends Articles of
11 Impeachment to the Senate, if they do in the future, the
12 officials should not be put on unpaid leave through the
13 process. The federal system does not allow that. Why do
14 we allow that in Texas? President Clinton and President
15 Trump did not have to step down from the Oval Office from
16 their duties during their impeachment process.

17 Members, this is not a partisan issue. We
18 owe it to future Legislatures to make these changes so
19 that no future official impeached by the House, whether
20 Republican, Democrat, or Independent, is subject to the
21 way this impeachment process occurred in the House this
22 year.

23 Millions of taxpayer dollars have been
24 wasted on this impeachment. Thirty-one Senators and a
25 large Senate staff that made this trial possible have put

1 their family life, their jobs, their business on hold for
2 the last three months after already being here from
3 January to June. I'm going to call next week for a full
4 audit of all taxpayer money spent by the House from the
5 beginning of their investigation in March to their final
6 bills they get from their lawyers. We will provide our
7 cost as well that were forced on us by the House
8 impeachment. One big difference: We didn't pay a huge
9 team of outside lawyers and investigators. We did it
10 mostly with our own staffs working endless hours with no
11 extra pay.

12 As Representative Smithee said, this is not
13 the way it has happened in the past in the House. That's
14 why I believe we've only had two prior impeachments. Our
15 founders expected better. It should have never happened
16 this year, and hopefully it doesn't again unless we
17 address this in the Constitution.

18 And, finally, members, may God continue to
19 bless the greatest place God ever created on earth, the
20 place we call Texas. We are the envy of the world. We
21 are the America that all America used to be, and that's
22 why people move here from every state in the union by the
23 hundreds of thousands every year.

24 Members, each of you took an oath on the
25 Sam Houston Bible on the first day of this trial, and I

1 know no matter how you voted, you lived up to that oath
2 in how you saw the evidence. I thank you again for the
3 professionalism you demonstrated every day for the last
4 three months. I'm honored and I'm proud to serve with
5 you as Lieutenant Governor.

6 Members, a judgment of acquittal -- or
7 dismissal on all Articles of Impeachment satisfies Texas
8 Constitution, Article XV, Section 5. I will now sign the
9 final judgment. This judgment will be filed with the
10 Secretary of State, and Attorney General Warren Kenneth
11 Paxton, Jr., is hereby, at this moment, reinstated to
12 office. The President's desk is clear, and there is no
13 pending business before the Senate.

14 I'm now going to recognize the dean for a
15 highly privileged motion. The next thing I will do is
16 have the jury retire. So lawyers and House Managers,
17 everyone stay in your seats till the -- the members of
18 the jury leave.

19 Senator Whitmire.

20 SENATOR WHITMIRE: Thank you,
21 Mr. President. I move that the Court of Impeachment is
22 hereby dissolved, and we adjourn sine die pending
23 submission of final judgment to the Secretary of State.

24 PRESIDING OFFICER: Is there any objection?
25 Hearing none, this concludes the proceedings. The Court

1 of Impeachment is hereby dissolved, and we are adjourned
2 sine die pending submission of the final judgment to the
3 Secretary of State.

4 Thank you, members.

5 (Adjourned at 1:10 p.m.)

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C E R T I F I C A T E

1 STATE OF TEXAS)

2 COUNTY OF TRAVIS)

3 I, Tami G. Lewis, Certified Shorthand Reporter
4 in and for the State of Texas, Registered Diplomate
5 Reporter and Certified Realtime Reporter, do hereby
6 certify that the above-mentioned matter occurred as
7 hereinbefore set out.

8 I further certify that I am neither counsel
9 for, related to, nor employed by any of the parties or
10 attorneys in the action in which this proceeding was
11 taken, and further that I am not financially or otherwise
12 interested in the outcome of the action.

13 Certified to me by this 5th day of October,
14 2023.

15 *Tami Lewis*

16 Tami G. Lewis, RDR, CRR, CRC
17 Texas Certified Shorthand Reporter
18 CSR No. 7494 - Expires 10/31/25
email: realtimedepos@gmail.com

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