

Attorney General Paxton needs to act like state's top lawyer

by Bill McCann

There is an unseemly odor wafting through Austin. It's coming straight from the office of Attorney General Ken Paxton. So far the stench has largely been ignored by Republican leaders and by the tea party Texans who helped elect him.

Signs of problems were there before Paxton took office. When running for Attorney General in 2014, he was fined \$1,000 by the Texas State Securities Board for soliciting investment clients without being registered, as state law requires.

In August 2015, seven months after he took office, Paxton was indicted by a grand jury in Collin County on two criminal counts of securities fraud and one count of failure to register as a securities agent.

Earlier this month the federal Securities and Exchange Commission filed similar civil charges accusing Paxton of violating federal securities laws, alleging that he misled investors he was recruiting for a technology company, according to the Texas Tribune.

Paxton also is being investigated by the State Bar Association of Texas following advice he gave the state's county clerks after the U.S. Supreme Court ruled in favor of same-sex marriages last year. Paxton issued an opinion telling clerks they could avoid issuing marriage licenses to same-sex couples if they had religious objections. A group of lawyers filed a complaint with the State Bar, arguing that the opinion advised clerks they could violate the law, therefore violating the professional code of conduct.

There's more. This month the Dallas Morning News reported that Paxton's office was continuing to pay two top aides who already had left the agency. One of them, Chip Roy, was first assistant attorney general. He resigned March 9 and took a job with a political action committee backing presidential hopeful Ted Cruz. But Roy collected a monthly salary of \$16,220 on April 1. A Paxton spokesperson was quoted as saying that, although Roy quit, he was on "emergency" leave. After the story appeared, Roy resigned again.

Similarly, Allison Castle, Paxton's chief communications person, left the agency on March 10, but remained on the payroll and was paid her full monthly salary of \$12,825 on April 1, the newspaper reported.

In a separate story, the Dallas Morning News reported that Paxton's office was "skirting" state hiring laws by filling jobs with persons from outside the agency without first publicly advertising the jobs. Paxton hired Jeff Mateer, an attorney with the First Liberty Institute, an ultra-conservative law firm, to replace Roy. Paxton also hired Marc Rylander, a former preacher at the Plano-based Prestonwood Baptist megachurch of which Paxton is a member, to be head of communications. Also, Paxton recently hired a new chief of staff, Hiram Sasser, also from the First Liberty law firm. The new hires replaced several top aides who jumped ship in recent months.

In response, the Texas Freedom Network, a nonpartisan watchdog group, warned that Paxton was further politicizing the Attorney General's office by packing it with "ideologues who share his obsession with defending discrimination."

As the state's top lawyer, Attorney General Paxton should be setting an example for ethics, honesty and high moral principles. Instead, he is losing all credibility. Where are the conservative voices demanding answers? The silence is deafening.

McCann is a retired communicator and a Bastrop County resident.