

### **Threshold for impeachment**

The constitution provides [four conditions](#) under which a governor or a deputy governor can be removed from office:

- 1: Gross violation of this constitution or any other law;
  - 2: Where there are serious reasons for believing that the county governor has committed a crime under national or international law;
  - 3: Abuse of office or gross misconduct; or
  - 4: Physical or mental incapacity to perform the functions of office of county governor.
- However, after Embu county governor Martin Wambora [contested](#) his impeachment in court citing procedural flaws, the court declared that the first impeachment had been held in violation of court orders, and was therefore “null and void”.

The court also prescribed what a “gross violation of the constitution” entailed. The court [said](#) such violations must:

- a. Be serious, substantial and weighty.
- b. There must be a nexus between the governor and the alleged gross violations.
- c. The charges framed against the governor and the particulars thereof must disclose a gross violation of the Constitution or any other written law.
- d. The charges as framed must state with degree of precision the article (s) or even sub-article(s) of the constitution or the provisions of any other written law that have been alleged to be grossly violated.

To these four points, the senate [added](#):

- e. The violation must have led to harm, loss or damage to society;
- f. The violation must have led to a loss of dignity in the office held and loss of confidence or trust in the person holding office to carry out the functions of that office with integrity and accountability.