

It is an unusual time in political history with a sharp partisan divide in our country. The recent House of Representatives *impeachment* of the current president, Donald Trump, has stirred up this partisan debate. The Democrats, who control the House of Representatives, launched a formal investigation accusing the president of “betrayal of his oath of office,” betrayal of national security and betrayal of the integrity of American elections. The president and Republicans have argued that this is “presidential harassment” and a “total witch hunt.” The posturing of both political parties is to gain voter acceptance of the proceedings or dismissal of charges.

The constitutional process of impeachment is unique and described in more detail below.

### What is Impeachment?

*Impeachment* is the political process of leveling charges against public officials of wrongdoing from office. After much debate at the 1787 Constitutional Convention in Philadelphia, the attendees—among them George Washington, Alexander Hamilton and Benjamin Franklin—approved the concept behind the impeachment of government officials. The impeachment process was included in Article 2, Section 4 of the U.S. Constitution. Here’s what the Constitution says: “The President, Vice President

and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.”

The purpose is to protect the public from officials who are unfit to wield power. And it’s not just for presidents, many federal officials have been impeached for offenses ranging from drinking on the job and petty corruption to sexual assault and obstruction of justice.

### Summary of the Impeachment Process

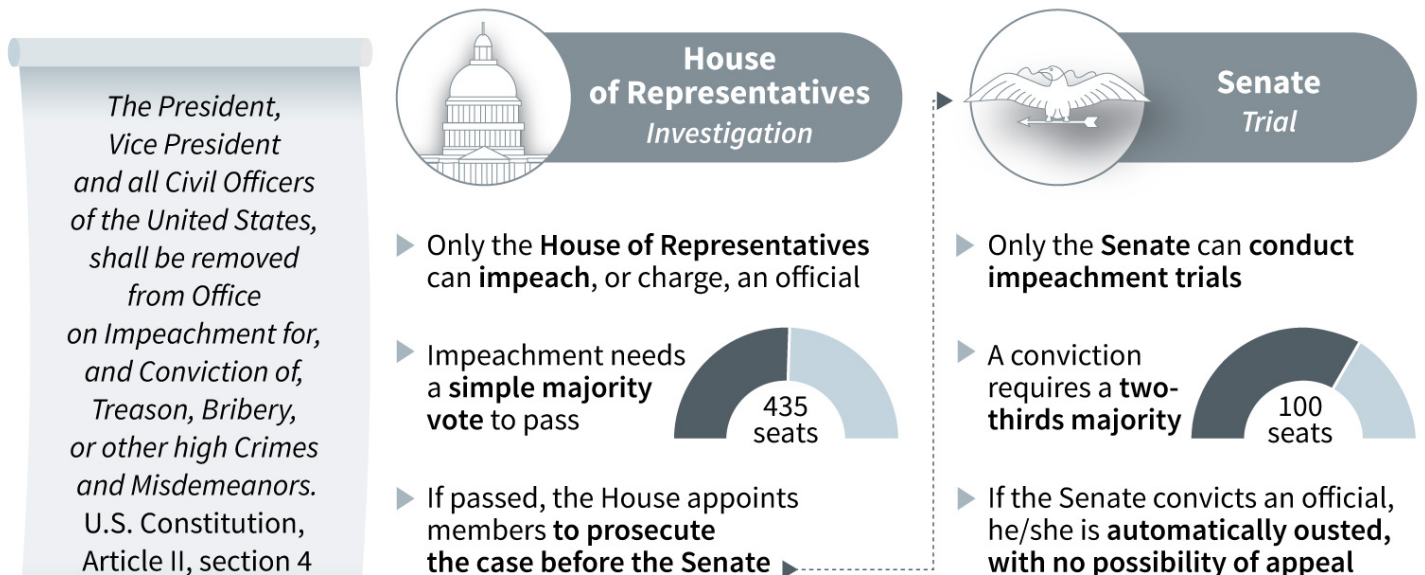
The Constitution gives the House of Representatives the sole power to impeach an official, and it makes the Senate the exclusive court for impeachment trials. The impeachment inquiry is the first step in the impeachment process, started by the House of Representatives. It means lawmakers will investigate what, if any, “high crimes and misdemeanors” the president may have committed. The House will gather evidence, debate, hold hearings, and vote on whether to bring charges.

The House Judiciary Committee will be the panel responsible for recommending *articles of impeachment* against President Trump. If the inquiry uncovers damaging evidence, the Judiciary panel would recommend impeachment articles,

(over)

## The US impeachment process

Under the US Constitution, a federal official suspected of serious wrongdoing can be prosecuted by Congress



Any other sanctions are left to civil courts to decide

taking the matter back to the full House for a vote. Democrats control the House and its committees. If a majority of the full House votes for impeachment, the matter goes to the Senate, which is responsible for holding a trial, overseen by the U.S. Supreme Court chief justice. If two-thirds of the U.S. senators vote to convict the official of the crime, he or she would be removed from office. The official would then be subject to further indictments in federal or state courts.

For a president to be convicted by a two-thirds majority, it would likely mean that members of the president's own political party would need to vote against the president. When the majority of the Senate is of the same party (Republicans) as the president, any impeachment proceedings would likely end with a Senate acquittal and the president remaining in office. No president has been ousted by impeachment.

### The Use of Impeachment

Donald Trump is now only the fourth president to have an official impeachment inquiry by the House of Representatives. While many U.S. presidents have been threatened with impeachment, Congress has only conducted two presidential impeachment trials, *Andrew Johnson* and *Bill Clinton*, who were both acquitted after trials in the Senate.

President Andrew Johnson was impeached in 1868 after a political conflict with Congress involving his Reconstruction policies after the Civil War and his removal of Secretary of War Edwin Stanton.

More than a century later, President Bill Clinton was impeached for perjury and obstruction of justice in the wake of his extramarital affair with White House intern Monica Lewinsky. The Senate failed to gain the two-thirds majority for a conviction on either of the charges, and Clinton went on to serve the remainder of his second term in office.

*Richard Nixon* ended up facing possible impeachment for obstruction of justice, abuse of power, and contempt of Congress during the Watergate scandal. He resigned before the House could vote.

Our founding fathers wanted impeachment to be a lengthy and complicated process. So it is hard to remove any official from office, and that is by design. Impeachment has only been used three times against a sitting president. In its history, the United States has impeached 19 individuals, including 15 federal judges and one cabinet member. Only eight of those have been removed from office.

In the unlikely event that the president is removed from office, the vice president becomes president and then selects a vice president that must be confirmed by both houses of Congress. What if something should happen to the president and vice president at the same time? Then the speaker of the House takes the presidency, and the president pro tempore of the Senate becomes vice president. The line of succession then goes to the cabinet members, in the order of their creation.

### QUESTIONS

**TRUE OR FALSE?** Write a **T** or **F** in the space provided.

- \_\_\_ 1. Impeachment is not actually mentioned in the Constitution.
- \_\_\_ 2. Currently, the House is controlled by the Democrats and the Senate by the Republicans.
- \_\_\_ 3. If the president is removed from office, the speaker of the House becomes president.
- \_\_\_ 4. The impeachment process is only used for sitting presidents.
- \_\_\_ 5. After the initial investigation, the House requires a 3/4 majority to issue the articles of impeachment.
- \_\_\_ 6. The founding fathers wanted impeachment to be a quick and easy process.
- \_\_\_ 7. Former President Nixon resigned before the House could vote on articles of impeachment.
- \_\_\_ 8. The legislative branch is given authority over impeachment powers.

**IMPEACHMENT BY THE NUMBERS.** Choose the correct number from the number bank that matches the statement.

**Number Bank: 0, 1/2, 2/3, 1, 2, 4, 8, 50, 100, 435**

- \_\_\_ Number of presidents to have an impeachment inquiry against them.
- \_\_\_ Number of federal officials that have been removed from office.
- \_\_\_ Number of U.S. senators in Congress.
- \_\_\_ Number of U.S. representatives in Congress.
- \_\_\_ Article number of the Constitution that mentions impeachment.
- \_\_\_ Fraction of votes the Senate needs to convict an official.
- \_\_\_ Number of U.S. Presidents removed from office by the impeachment process.

**Answers:** 1-F, 2-T, 3-F, 4-F, 5-F, 6-F, 7-T, 8-T  
By the numbers (top to bottom) - 4, 8, 100, 435, 2, 2/3, 0