



December 18, 2019

Impeachment

Today, December 18, 2019, is an historic day in the 243 year history of the United States of America. Today, the United States of Representatives will likely vote in favor of the Articles of Impeachment that have been drawn up against President Donald John Trump. This letter will look at what is actually happening in this impeachment process.

Now, as many know, if President Trump is impeached, he still remains President. Impeachment is the process by which a legislative body levels charges against a government official. Impeachment does not, by itself, remove the official immediately from office. Impeachment is similar to an indictment in criminal law, like that coming from a grand jury. Impeachment is essentially the statement of charges against the official, in this case, President Trump.

Article One of the United States Constitution gives the House of Representatives the sole power of impeachment and the Senate the sole power to try impeachments of officers of the U.S. federal government. So, if today President Trump is impeached by the House, the case goes to the U.S. Senate for trial, where 2/3 of the senators must vote for conviction to remove President Trump from office.

Only two United States Presidents have been impeached: Andrew Johnson in 1868 and Bill Clinton in 1998; neither was convicted by the Senate and they were not removed from office; additionally, there were efforts to impeach John Tyler and Richard Nixon (Nixon resigned before proceedings began).

Article One, Section Two, Clause Five of the U.S. Constitution states "The House of Representatives shall choose their Speaker and other Officers; and shall have the sole Power of Impeachment." What does our Constitution say about what a person can be impeached for? The framers of our Constitution intentionally left it vague. Article Two, Section Four of the U.S. Constitution states "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."

What do the current Articles of Impeachment against President Trump actually say? House Resolution 755 has two articles of impeachment. Article One of House Resolution 755 is entitled Abuse of Power and states: "Using the powers of his high office, President Trump solicited the interference of a foreign government, Ukraine, in the 2020 United States Presidential election. He did so through a scheme or course of conduct that included soliciting the Government of Ukraine to publicly announce investigations that would benefit his reelection, harm the election prospects of a political opponent, and influence the 2020 United States Presidential election to his advantage. President Trump also sought to

pressure the Government of Ukraine to take these steps by conditioning official United States Government acts of significant value to Ukraine on its public announcement of the investigations. President Trump engaged in this scheme or course of conduct for corrupt purposes in pursuit of personal political benefit. In so doing, President Trump used the powers of the Presidency in a manner that compromised the national security of the United States and undermined the integrity of the United States democratic process. He thus ignored and injured the interests of the Nation.”

Article Two of House Resolution 755 is entitled Obstruction of Congress and states: “In his conduct of the office of President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald J. Trump has directed the unprecedented, categorical, and indiscriminate defiance of subpoenas issued by the House of Representatives pursuant to its ‘sole Power of Impeachment’.”

On December 17, 2019, President Trump wrote what has been called a scathing 6 page letter to House Speaker Nancy Pelosi, with its opening sentence stating, “I write to express my strongest and most powerful protest against the partisan impeachment crusade being pursued by the Democrats in the House of Representatives”. However, a letter such as this cannot be compared to a defense with cross examination. President Trump is trying to control impressions by issuing statements without searching for the truth. He has obstructed the House from obtaining documents and testimony from John Bolton, Mick Mulvaney and others – information that could help us find out what really happened.

We are witnessing history, and the more we know about the process, the better we are able to act as informed citizens of our United States of America.

Sincerely,

A handwritten signature in black ink, appearing to read 'LSK', with a stylized flourish at the end.

La Shawn K. Ford
State Representative-Eighth District