Impeachment for the People

Every day Donald Trump remains in office is another day he subverts our democracy, endangers our lives, and betrays our country for his personal gain. The Constitution provides the people, through their representatives in Congress, the tools to stop such a lawless, unfit, and dangerous president: impeachment in the House and removal in the Senate.

We, the people, deserve an impeachment and removal process that covers the full range of Trump's abuses of power. It is only through this broad scope that the impeachment and removal process can:

- Defend our democracy and bring us closer to ensuring that its promise of life, liberty, and the pursuit of happiness be made real for every person who calls the United States home—no matter their race, gender, sexuality, religion, country of origin or class
- Establish that we are a country where all are equal before the law, and set a precedent for what is acceptable by all those who serve in our nation’s highest office
- Protect us, our families, and our communities from this administration's attacks
- Deliver a government that fiercely and bravely represents the people, rather than serves political parties or the powerful

We, the people, know the kind of country we want to live in and the country we want to build for future generations — and we fight for it every day. But far too many of the people who are supposed to represent us have responded to Trump with fear and caution instead of bravery, with complicity and compromise instead of condemnation. Their failure to lead with moral courage has emboldened Trump to commit more abuses of power and normalized his dangerous agenda.

We deserve leaders who will step up with the courage, heart and principled clarity this moment requires. We deserve leaders who will fulfill their constitutional duty to protect our democracy, root out corruption, enforce the rule of law, guard our national security, defend the communities Trump is threatening, and start delivering the promise of our democracy to all their constituents.

Therefore, we are coming together across race, class, gender, party and geography to propose the following articles of impeachment against President Donald John Trump and to ask our Members of Congress to make a choice: will they conduct business as usual or bravely lead with us?
The attached articles of impeachment have been drafted to track the language of relevant legal standards, previous articles of impeachment against other federal officials, and/or other congressional resolutions since 2017 wherever possible. The articles may be summarized into the following categories:

I. Abuse of power to target political adversaries, critics, and the press

Donald Trump has repeatedly abused his power by directing law enforcement and federal agencies to target, investigate, or retaliate against political adversaries and critics, and has repeatedly misused his office and engaged in other conduct that undermines the freedom of the press.

II. Corruption of electoral processes

Donald Trump has engaged in a corrupt course of conduct and abused his power in order to obtain and retain his office by seeking campaign help from foreign entities, by making unlawful hush money payments to influence elections, and by deceiving the American public about this activity.

III. Abuse of office to promote discrimination, hostility, and unlawful violence

Donald Trump has repeatedly engaged in conduct violating the constitutional rights of individuals, misused agencies of the executive branch for improper purposes unrelated to any lawful function of his office, or misused his official position to promote discrimination, hostility, or unlawful violence on the basis of race, color, religion, or national origin.

IV. Corruption and self-enrichment

Donald Trump has repeatedly misused his office for personal gain by accepting presents or emoluments from foreign governments without the consent of Congress, receiving or expropriating for himself emoluments from the federal and state governments, and otherwise employing the power of his office for personal financial gain.

V. Obstruction of the administration of justice and Congressional inquiries

Donald Trump has engaged in a course of conduct or plan designed to obstruct the investigation of interactions with foreign governments or agents of foreign governments pertaining to the 2016 and 2020 presidential elections; to cover up, conceal and protect those responsible; and to conceal the existence and scope of other covert activities, by interfering or endeavoring to interfere with the conduct of investigations by Congressional Committees, the
Department of Justice, the Special Counsel’s Office, and the Federal Bureau of Investigation.

VI. Misuse of armed forces and abuse of emergency powers

Donald Trump has misused the United States Armed Forces for improper political purposes at the southern border, refused to withdraw them from Yemen after being so directed by Congress, improperly impounded funds appropriated by Congress for military aid to Ukraine, and abused emergency powers to build a border wall against Congressional opposition, all in derogation of the powers of Congress to declare war, to make appropriations, and to raise and support armies.

VII. Omnibus

This article re-states the first six articles in abbreviated form. The value of an omnibus or “catch-all” article (most recently used by Congress in 1989) was famously demonstrated in the 1936 impeachment trial of Judge Halstead Ritter, when the Senate failed to assemble a two-thirds majority to convict on any particular article alleging specific misconduct, but reached two-thirds to convict on the omnibus article.

For more information on these grounds, see The Constitution Demands It: The Case for the Impeachment of Donald Trump (published by Melville House, August 2018); the September 2019 report When is racist abuse of office an impeachable offense?; and sources cited at freespeechforpeople.org/legalgroundsforimpeachment.

Signed By:

By the People
CREDO Action
Free Speech For People
Courage Campaign
Democracy For America
Equal Justice Society
Mainers for Accountable Leadership
March For Truth
Movement School
Presente
Progressive Democrats of America
Revolving Door Project
Women’s March.

Enclosure: Proposed articles of impeachment
RESOLUTION

Impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors.

Resolved, That Donald J. Trump, President of the United States, is impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, against Donald J. Trump, President of the United States of America, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

ARTICLE I

In his conduct of the office of President of the United States, Donald J. Trump, 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, has abused his power by directing law enforcement
to investigate and prosecute political adversaries and critics, and has repeatedly engaged in a course of conduct that undermines the freedom of the press guaranteed by the First Amendment to the Constitution. In so doing, he has misused or endeavored to misuse the Department of Justice, the Federal Bureau of Investigation, and other executive personnel, in violation or disregard of the constitutional rights of citizens. This conduct has included one or more of the following:

1. He repeatedly directed law enforcement agencies or personnel to investigate and prosecute specific named private citizens and current or former employees of the United States, for improper purposes unrelated to national security, the enforcement of laws, or any other lawful function of his office.

2. He repeatedly misused or endeavored to misuse the Federal Bureau of Investigation, the Department of Justice, the Postal Service, and the Federal Communications Commission, and other executive personnel, in violation or disregard of the constitutional right to freedom of the press, by directing or authorizing such agencies or personnel to take action retaliating for unfavorable news coverage.
3. He repeatedly misused his official position to retaliate or endeavor to retaliate against specific private citizens for unfavorable news coverage.

4. He repeatedly made and caused to be made false or misleading public statements to systematically undermine the credibility of the press for the purpose of deceiving the people of the United States into disbelieving all unfavorable news coverage of himself or his administration, and undermining public support for the freedom of press, thereby attacking the democratic institutions of the United States.

5. He repeatedly, and with reckless or wanton disregard for the risk of death or grievous bodily harm, approved, condoned, acquiesced in, or counseled private parties’ harassment and unlawful violence against private citizens. This course of conduct has, as its reasonable and probable consequence, encouraged private acts of unlawful violence and harassment influenced by his counsel, placing persons within the jurisdiction of the United States in peril in deliberate indifference to their safety.

In all of this, Donald J. Trump has acted in a manner
contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore Donald J. Trump, by such conduct, warrants impeachment and trial, and removal from office.

ARTICLE II

In connection with his campaigns for President of the United States and 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 engaged in a corrupt course of conduct and abused his power in order to obtain and retain his office, and demonstrated his unfitness to serve as President of the United States. This conduct has included one or more of the following:

1. He unlawfully or improperly delayed, withheld, or impounded funds that Congress had appropriated for aid to Ukraine. Under color of office, and for improper
purposes unrelated to national security, the
enforcement of laws, or any other lawful function of his
office, he withheld and threatened to continue to
withhold these funds to pressure, extort, or bribe the
government of Ukraine to investigate or make adverse
public statements concerning his potential domestic
political opponent, for the purpose of influencing the
2020 presidential election.

2. He counseled the government of the People’s Republic
of China to investigate his potential domestic political
opponent, for the purpose of influencing the 2020
presidential election.

3. He counseled foreign nationals, including agents of the
government of Russia and of WikiLeaks, a foreign
entity, to interfere with the 2016 presidential election.

4. He approved, condoned, or acquiesced in his close
subordinates and agents of the Donald J. Trump for
President committee soliciting valuable political
intelligence from foreign nationals, including agents of
the governments of Russia, Saudi Arabia, and the
United Arab Emirates, and of WikiLeaks, a foreign
entity.
5. He repeatedly made or caused to be made false or misleading public statements for the purpose of deceiving the people of the United States about his close subordinates and agents’ negotiations on his behalf with representatives of the government of Russia regarding his privately owned businesses and regarding efforts to obtain political intelligence in the 2016 presidential election.

6. He approved, directed, made, and caused to be made the surreptitious and unlawful payment of substantial sums of money for the purpose of obtaining the silence of persons with unfavorable information about him in order to influence the 2016 election.

7. Beginning in January 2018, he repeatedly made or caused to be made false or misleading public statements for the purpose of deceiving the people of the United States about his knowledge of the payments, the reasons for them, and the sources of the funds.

Accordingly, Donald J. Trump has engaged in conduct so utterly lacking in honesty and integrity that he is unfit to hold the office of President, is guilty of high crimes and
misdemeanors, and has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore Donald J. Trump, by such conduct, warrants impeachment and trial, and removal from office.

ARTICLE III

In his conduct of the office of President of the United States, Donald J. Trump, 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, in violation of his constitutional duty to take care that the laws be faithfully executed, and unmindful of the high duties of his oath of office and of the requirements of the Constitution, has repeatedly engaged in conduct violating the constitutional rights of individuals, misused agencies of the executive branch for improper purposes unrelated to any lawful function of his office, or misused his official position to promote discrimination, hostility, or unlawful violence on the basis of race, color, religion, or national origin. This conduct has included one or more of the following:
1. He repeatedly, and for purposes unrelated to any lawful function of his office, misused his official position to disseminate false or misleading public statements for the purpose or with the reasonable and probable consequence of sowing, legitimizing, inflaming, or inciting discrimination, hostility, or violence on the basis of race, color, religion, or national origin.

2. He repeatedly approved, condoned, or counseled acts of unlawful violence by law enforcement officers or members of the United States Armed Forces against persons in their custody or control.

3. He repeatedly approved, condoned, counseled, or gave aid and comfort to private parties engaging or planning to engage in harassment or unlawful violence on the basis of race, color, religion, or national origin, placing persons within the jurisdiction of the United States in peril in deliberate indifference to their safety.

4. He granted a full pardon to a former government official convicted of criminal contempt of court for willfully disobeying a duly issued judicial injunction to cease a pattern and practice of violating individuals’ constitutional rights, and publicly condoned those
constitutional violations.

5. He approved, condoned, acquiesced in, or counseled a course of conduct or plan to limit immigration without regard for the laws and Constitution of the United States. The means used to implement this course of conduct or plan included one or more of the following: unlawfully restricting entry into the United States with a purpose to disfavor a particular religion; separating children from their families, detaining children under cruel and unconstitutional conditions, failing to take care that children could be reunited with their parents, and acquiescing in the placement of children for adoption in violation or disregard of the constitutional rights of parents and children; or counseling employees of the United States to violate federal criminal law if needed to implement his policies, and endeavoring to cause them to expect clemency for any such crimes.

In all of this, Donald J. Trump has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.
Wherefore Donald J. Trump, by such conduct, warrants impeachment and trial, and removal from office.

ARTICLE IV

In his conduct of the office of President of the United States, Donald J. Trump, 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, in violation of his constitutional duty to take care that the laws be faithfully executed, and unmindful of the high duties of his oath of office and of the requirements of the Constitution, repeatedly misused his office for personal gain by accepting presents or emoluments from foreign kings, princes, and states without the consent of Congress, receiving or expropriating for himself emoluments from the United States and the several States in excess of the compensation provided by law, and otherwise employing the power of his office for personal gain, in that:

During the period for which he has been President, Donald J. Trump has through his diverse business interests solicited, accepted, or received payments, contracts, permits, approvals, subsidies, and other financial benefits from foreign governments, from the United States, from the several States,
and from various foreign and private interests.

This conduct has included one or more of the following:

1. He received substantial sums of money from expenditures by foreign governments, including those of China, Kuwait, Malaysia, the Philippines, Russia, Saudi Arabia, Turkey, and the United Arab Emirates, at or on his privately owned properties located in New York, New York; Potomac Falls, Virginia; and Washington, D.C.

2. He received substantial valuable benefits for his foreign business interests, including trademarks, government permits and approvals, and financial support for building projects, from foreign governments, including those of China, the Dominican Republic, Indonesia, Mexico, Panama, the Philippines, and the United Arab Emirates.

3. He unlawfully accepted or received compensation in excess of the compensation provided by law, in the form of federal and state expenditures at or on his privately owned properties located in or near Palm Beach, Florida; Bedminster, New Jersey; Washington, D.C.; Las Vegas, Nevada; Miami, Florida; Panama City, Panama; and Ayrshire, Scotland; in the form of executive branch forbearance benefiting his privately owned property.
located in Washington, D.C.; and in the form of state subsidies and other expenditures benefiting his privately owned properties located in or near New York, New York and Cleveland, Mississippi.

4. He repeatedly misused his office to promote his privately owned businesses and solicit business from foreign and private interests, including from individuals and entities seeking favors from the United States government, and personally profited thereby, thus betraying the trust of the people of the United States and bringing disrepute on his office.

In all of this, Donald J. Trump has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore Donald J. Trump, by such conduct, warrants impeachment and trial, and removal from office.

ARTICLE V

In his conduct of the office of President of the United States, Donald J. Trump, 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, has prevented, obstructed, and impeded the administration of justice and Congressional inquiries, in that:

Donald J. Trump, using the powers of his high office, engaged personally and through his close subordinates and agents, in a course of conduct or plan designed to delay, impede, and obstruct the investigation of interactions with foreign governments or agents of foreign governments pertaining to the 2016 and 2020 presidential elections; to cover up, conceal and protect those responsible; and to conceal the existence and scope of other covert activities, by interfering or endeavoring to interfere with the conduct of investigations by Congressional Committees, the Department of Justice, the Special Counsel’s Office, and the Federal Bureau of Investigation.

The means used to implement this course of conduct or plan included one or more of the following:

1. He directed or counseled the Director of the Federal Bureau of Investigation to give favored treatment to the former National Security Advisor, and to refrain
from investigating his conduct.

2. He fired the Director of the Federal Bureau of Investigation on pretextual grounds and made false or misleading public statements for the purpose of deceiving the people of the United States about the true reason for this action.

3. He endeavored to fire the Special Counsel, including by directing the White House Counsel to direct the Deputy Attorney General to fire the Special Counsel on false grounds.

4. He directed or counseled the Attorney General, including by asking a private citizen to lobby the Attorney General on the President’s behalf, to curtail the scope of the Special Counsel’s investigation.

5. He repeatedly made or caused to be made false or misleading public statements for the purpose of deceiving the people of the United States about his close subordinates and agents’ negotiations on his behalf with representatives of the government of Russia regarding his privately owned businesses and regarding efforts to obtain political intelligence in the 2016 presidential election.
6. He directed the Attorney General, who had recused himself from supervising investigations related to the 2016 election, to assert control over the Special Counsel’s investigation.

7. He directed the White House Counsel to make false public statements and create a false written record denying that the President had ordered the White House Counsel to fire the Special Counsel.

8. He endeavored to cause his former campaign chairman to expect favored treatment and consideration, including clemency, in return for his silence, false testimony, or cessation of cooperation with the Department of Justice in ongoing investigations.

9. He endeavored to prevent his former personal attorney from cooperating with the Department of Justice or Congressional Committees, first by counseling him not to do so, then later by endeavoring to intimidate and discredit him for the purpose of preventing, influencing, or discrediting his testimony to lawfully authorized investigative officers or in duly instituted judicial or Congressional proceedings.

10. He fired and replaced the Attorney General for the
purpose of asserting control over the Special Counsel’s
investigation, other Department of Justice
investigations relating to the 2016 election and to
misconduct of the President and his associates, and the
Department of Justice’s responses to lawful inquiries
by Congressional Committees regarding those
investigations.

11. He approved, condoned, acquiesced in, or counseled
the new Attorney General with respect to impeding and
frustrating lawful inquiries by Congressional
Committees regarding the Special Counsel’s
investigation, and making false or misleading public
statements for the purpose of deceiving the people of
the United States into believing that the Special
Counsel’s investigation had concluded that there was
no misconduct by the President of the United States.

12. Without lawful cause or excuse, he directed,
counseled, or endeavored to compel agencies and
personnel of the executive branch, former personnel of
the executive branch, and private citizens or businesses
to refuse to produce materials required by
Congressional Committees pursuant to lawful
authority, appear or testify before Congressional Committees, or otherwise cooperate with Congressional inquiries. These materials and witnesses were deemed necessary or useful by the Committees in order to resolve by direct evidence fundamental, factual questions relating to Presidential direction, knowledge or approval of actions demonstrated by other evidence to be substantial grounds for impeachment of the President. In so doing, Donald J. Trump, substituting his judgment as to what materials were necessary for the inquiry, interposed the powers of the Presidency against the lawful subpoenas of the House of Representatives, thereby assuming to himself functions and judgments necessary to the exercise of the sole power of impeachment vested by the Constitution in the House of Representatives.

In all of this, Donald J. Trump has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore Donald J. Trump, by such conduct, warrants
impeachment and trial, and removal from office.

ARTICLE VI

In his conduct of the office of President of the United States, Donald J. Trump, 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, misused the United States Armed Forces and abused emergency powers in derogation of the powers of Congress to declare war, to make appropriations, and to raise and support armies.

This conduct has included one or more of the following:

1. He misused the United States Armed Forces by ordering their deployment to the southern border for improper purposes unrelated to national security, the enforcement of laws, or any other lawful function of his office.

2. He made or caused to be made false or misleading public statements for the purpose of deceiving the people of the United States into believing the existence of an urgent national security threat at the southern border.

3. He abused emergency powers by declaring a national
emergency at the southern border where no condition of sudden, unforeseen emergency requiring immediate action existed or could reasonably be believed to exist, in order to fund construction of a barrier along the border, contrary to the appropriations made by law and in derogation of the powers of Congress.

4. On and after May 5, 2019, after Congress had directed him to remove the United States Armed Forces from certain hostilities in or affecting the Republic of Yemen Congress, he continued to authorize, order, and ratify the continued involvement of the United States Armed Forces in those hostilities.

5. He unlawfully or improperly delayed, withheld, or impounded funds that Congress had appropriated for military aid to Ukraine to assist in its defense against Russia, for improper purposes unrelated to national security, the enforcement of laws, or any other lawful function of his office.

In all of this, Donald J. Trump has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of
Wherefore Donald J. Trump, by such conduct, warrants impeachment and trial, and removal from office.

ARTICLE VII

In his conduct of the office of President of the United States, Donald J. Trump, 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, repeatedly abused the powers of his high office, undermined confidence in the integrity of the presidency, and betrayed the trust of the people of the United States, rendering him unfit to continue to serve as President. These actions or conduct included one or more of the following:

1. He abused his office by directing law enforcement to investigate and prosecute political adversaries and critics, and to undermine the freedom of the press.

2. He acted corruptly and unlawfully and abused his office to subvert the integrity of the 2016 and 2020 presidential elections, and to cover up or conceal this activity.
3. He misused his office to promote discrimination, hostility, or unlawful violence on the basis of race, color, religion, or national origin.

4. He misused his office for personal gain, and accepted or expropriated for himself unconstitutional emoluments from foreign powers, from the United States and from the several States.

5. He obstructed the administration of justice and Congressional inquiries.

6. He misused the United States Armed Forces and abused emergency powers in derogation of the powers of Congress to declare war, to make appropriations, and to raise and support armies.

In all of this, Donald J. Trump has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore Donald J. Trump, by such conduct, warrants impeachment and trial, and removal from office.