

Impeachment Investigation: Five Key Criteria

In July 2019, Common Cause sent our *Case for an Impeachment Inquiry into President Trump*ⁱ report to all congressional offices. Impeachment investigations of U.S. presidents are extremely rare, and there is little precedent for how they should be conducted. We then launched impeachmentinquiry.org to encourage members of Congress to publicly support an impeachment inquiry into President Trump. The following is an overview of five key criteria that should guide the current impeachment investigation being conducted by the U.S. House of Representatives.

The impeachment investigation should:

- 1) Be conducted in public to the greatest extent possible.** It is important for the American public to understand the impeachment inquiry process and be able to judge for themselves the wrongdoings of President Trump and his administration. If conducted in a closed or classified setting, schedules, witnesses, notes, transcripts, and all evidence related to non-classified materials should be publicly released within a reasonable amount of time.
- 2) Proceed expeditiously and deliberatively but not have an arbitrary deadline.** The investigation must be guided by facts, not by political calculations or other considerations. The impeachment investigation is a complex inquiry involving multiple congressional committees. At a minimum, dozens of individuals must be interviewed and thousands of documents must be obtained. Setting a time-specific deadline for the impeachment investigation would limit new information that seems to become public on a near-daily basis.
- 3) Follow the facts and not draw early conclusions without allowing the process to play out.** Although significant evidence suggests that President Trump likely committed high crimes and misdemeanors, he must not be pre-judged by Congress or by the American public. Polling should not dictate what evidence or issues are considered in the inquiry.
- 4) Ensure that the Trump administration complies in a timely manner with subpoenas and document requests or face contempt charges and other significant consequences.** Congressional committees must be empowered to obtain the information that they need to conduct the impeachment investigation, which is specifically outlined in the Constitution. They must use their contempt powers against any current or former administration officials who refuse to testify or produce requested documents.
- 5) Have dedicated staff and resources.** Congressional committees and staff are already over-worked and under-resourced. The committees conducting the impeachment investigation deserve to get additional funding to ensure that the inquiry can be comprehensive and the whole truth can be uncovered.

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