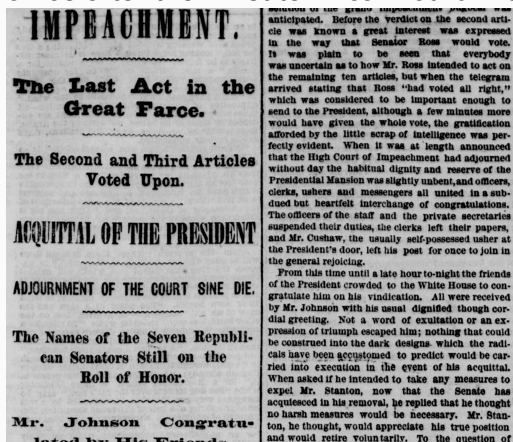


What happens when a public official, who may be appointed or elected, is accused of engaging in conduct that might be considered to be a '[high crime and misdemeanor](#)'? We might hope they would resign, but when that does not happen, the U.S. Constitution provides the means to do so: impeachment and conviction. Alexander Hamilton himself, in [Federalist #69](#), described the importance of impeachment and when it should happen:

"A well-constituted court for the trial of impeachments is an object not more to be desired than difficult to be obtained in a government wholly elective. The subjects of its jurisdiction are those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust."

One of the most common misconceptions about the [impeachment process](#) is that it automatically removes an official from office. However, that is not the case. Impeachment means the bringing of charges, so for an impeached official to be removed, they must first be convicted. At its most basic, the process is twofold: the Judiciary Committee in the U.S. House of Representatives drafts what are known as '[articles of impeachment](#)' and presents them to the full House for a vote. These articles provide the members of the House the opportunity to review the accusations against the official, and they vote either for or against them. If there is a majority vote in favor of the articles, the official is impeached.

Remember, however, that impeachment does not mean removal. According to the [U.S. Constitution](#), only the U.S. Senate may remove an impeached official from office, and for that to happen, the Senate must convict based on the accusations listed in the articles of impeachment. The impeached official has the opportunity to defend themselves against the accusations, and two-thirds of the Senate must agree to convict. If a person is convicted and removed from office, they cannot hold any future federal offices. This means that a president impeached and removed from office after their first term cannot run for a second term or for a seat in the U.S. Congress.



While it is most often associated with attempting to remove a president from office, it's important to remember that according to Article II, Section 4 of the U.S. Constitution, "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." Essentially, this means that individuals subject to [Senate confirmation](#), such as judges, Cabinet officials, and other appointed members of the Executive Branch may be impeached, in addition to the president and vice-president. Interestingly, as a result of a Senate determination in [1797](#), members of Congress are NOT considered 'civil officers' and so cannot be impeached. They may, however, be removed by other constitutional means.

Between 1787 and 2020, the House of Representatives has impeached only 20 public officials: 15 judges (including a Supreme Court justice), 1 Cabinet secretary, 1 senator (before it was determined that members of Congress were not civil officers), and 3 presidents. [Of these 20](#), eight were convicted and removed by the Senate. While three presidents have been impeached, none have ever been convicted.

As the numbers suggest, impeachment of public officials is relatively rare, and even when it happens, it does not necessarily lead to removal from office. However, it remains one of the most important tools for ensuring that our public officials fulfill their obligations under the U.S. Constitution to [We, the People](#).

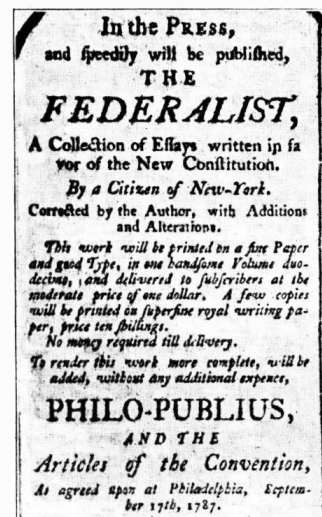
Learn MORE about impeachment.

Free registration may be required.

- [The History of Impeachment](#), from the Library of Congress
- [The Power of Impeachment](#), from Constitution Annotated
- [How Does Impeachment Work](#), from TED-ED



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To Think and To Do: As you learned here, the House impeaches and the Senate convicts to remove. Why might the Framers of the Constitution have made the removal of public officials a two-step process that involves separate roles for each congressional chamber?