

# ARTICLE OF IMPEACHMENT

## ARTICLE I

**CORRUPT ABUSE OF THE PARDON POWER, OBSTRUCTION OF JUSTICE,  
AND BRIBERY THROUGH THE CORRUPT EXERCISE OF CLEMENCY**

AGAINST

**DONALD JOHN TRUMP**

*PRESIDENT OF THE UNITED STATES*

**RESOLVED, THAT DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES, IS IMPEACHED FOR HIGH CRIMES AND MISDEMEANORS, AND THAT THE FOLLOWING ARTICLE OF IMPEACHMENT BE EXHIBITED TO THE UNITED STATES SENATE:**

### **I. CONSTITUTIONAL FOUNDATION**

**ARTICLE II, SECTION 2 OF THE CONSTITUTION OF THE UNITED STATES GRANTS THE PRESIDENT THE POWER TO GRANT REPRIEVES AND PARDONS FOR OFFENSES AGAINST THE UNITED STATES, EXCEPT IN CASES OF IMPEACHMENT. THIS POWER, WHILE BROAD, IS NOT ABSOLUTE AND MAY NOT BE EXERCISED CORRUPTLY. ALEXANDER HAMILTON, WRITING IN FEDERALIST NO. 74, WARNED THAT THE PARDON POWER MUST NOT BECOME AN INSTRUMENT OF FACTION OR PERSONAL SELF-PROTECTION. THE CONSTITUTION EXPLICITLY NAMES BRIBERY IN ARTICLE II, SECTION 4 AS A GROUND FOR IMPEACHMENT – AND BRIBERY COMMITTED THROUGH THE EXERCISE OF THE PARDON POWER IS NO LESS IMPEACHABLE THAN ANY OTHER FORM.**

**PRESIDENT DONALD JOHN TRUMP HAS SYSTEMATICALLY TRANSFORMED THE CONSTITUTIONAL CLEMENCY POWER INTO AN INSTRUMENT OF POLITICAL REWARD, PERSONAL PROTECTION, AND OUTRIGHT FINANCIAL CORRUPTION. HIS CONDUCT FALLS INTO THREE DISTINCT AND DOCUMENTED CATEGORIES, EACH INDEPENDENTLY CONSTITUTING HIGH CRIMES AND MISDEMEANORS, AND TOGETHER CONSTITUTING A PATTERN OF ABUSE WITHOUT PRECEDENT IN THE HISTORY OF THE AMERICAN PRESIDENCY.**

### **II. STATEMENT OF FACTS**

***CATEGORY A – POLITICAL REWARD: CLEMENCY ISSUED TO THOSE WHO COMMITTED CRIMES IN SERVICE OF THE PRESIDENT’S POLITICAL INTERESTS***

ON JANUARY 20, 2025, WITHIN HOURS OF TAKING THE OATH OF OFFICE, PRESIDENT TRUMP ISSUED MASS CLEMENCY TO INDIVIDUALS CHARGED OR CONVICTED IN CONNECTION WITH THE JANUARY 6, 2021 ASSAULT UPON THE UNITED STATES CAPITOL. SPECIFICALLY, HE GRANTED FULL PARDONS TO APPROXIMATELY 1,270 INDIVIDUALS ALREADY CONVICTED OF CRIMES ARISING FROM THE ASSAULT – INCLUDING INDIVIDUALS CONVICTED OF VIOLENT ASSAULT ON CAPITOL POLICE OFFICERS, SEDITIOUS CONSPIRACY, AND OBSTRUCTION OF THE CERTIFICATION OF THE 2020 PRESIDENTIAL ELECTION – AND DIRECTED THE DISMISSAL WITH PREJUDICE OF PENDING CHARGES AGAINST THE REMAINING DEFENDANTS, FOR A TOTAL OF 1,575 INDIVIDUALS RECEIVING CLEMENCY OR RELIEF. OF THE 1,270 CONVICTED, 1,009 HAD PLEADED GUILTY, 221 WERE FOUND GUILTY AT TRIAL, AND 40 WERE CONVICTED VIA STIPULATED TRIAL. OF ALL THOSE CHARGED, 608 HAD BEEN CHARGED WITH ASSAULTING OR IMPEDING FEDERAL POLICE OFFICERS, 174 OF WHOM WERE CHARGED WITH USING A DEADLY OR DANGEROUS WEAPON OR INFLECTING BODILY INJURY UPON AN OFFICER.

1. THE JANUARY 6TH PARDONS WERE NOT ACTS OF MERCY. THEY WERE ACTS OF POLITICAL REWARD ISSUED TO INDIVIDUALS WHO BROKE THE LAW SPECIFICALLY TO KEEP PRESIDENT TRUMP IN POWER. THE SELF-SERVING NEXUS BETWEEN THE PARDONED CONDUCT AND THE PRESIDENT'S OWN POLITICAL INTERESTS IS DIRECT, EXPLICIT, AND PUBLICLY STATED. TRUMP'S PARDON ATTORNEY, ED MARTIN, DESCRIBED THE RATIONALE AS 'NO MAGA LEFT BEHIND' – AN ACKNOWLEDGMENT THAT THE CRITERION FOR CLEMENCY WAS POLITICAL LOYALTY RATHER THAN THE MERITS OF INDIVIDUAL CASES.
2. ON NOVEMBER 9, 2025, PRESIDENT TRUMP SIGNED A PROCLAMATION GRANTING PREEMPTIVE PARDONS TO 77 INDIVIDUALS ASSOCIATED WITH THE FAKE ELECTORS PLOT TO OVERTURN THE RESULTS OF THE 2020 PRESIDENTIAL ELECTION – INCLUDING HIS PERSONAL ATTORNEY RUDY GIULIANI AND FORMER CHIEF OF STAFF MARK MEADOWS – NONE OF WHOM WERE FACING FEDERAL CHARGES AT THE TIME. THESE PREEMPTIVE PARDONS WERE DESIGNED TO PERMANENTLY ELIMINATE THE LEGAL EXPOSURE OF INDIVIDUALS WHOSE COOPERATION WITH FUTURE INVESTIGATORS COULD HAVE DAMAGED THE PRESIDENT.
3. PRESIDENT TRUMP PARDONED MORE THAN TWENTY ELECTED OFFICIALS CONVICTED OF POLITICAL CORRUPTION, BRIBERY, FRAUD, AND ABUSE OF PUBLIC TRUST, ON THE STATED BASIS THAT THEY WERE SUPPORTERS OF THE PRESIDENT OR CRITICS OF HIS POLITICAL OPPONENTS. THE CONSISTENT CRITERION WAS NOT JUSTICE BUT LOYALTY – A CORRUPTION OF THE CLEMENCY POWER INTO A PATRONAGE SYSTEM REWARDING POLITICAL ALIGNMENT.

***CATEGORY B – OBSTRUCTION THROUGH CLEMENCY: PARDONS ISSUED TO PROTECT ASSOCIATES WHOSE LEGAL EXPOSURE THREATENED THE PRESIDENT***

**PRESIDENT TRUMP USED THE PARDON POWER TO PROTECT INDIVIDUALS WHOSE POTENTIAL COOPERATION WITH LAW ENFORCEMENT COULD HAVE PRODUCED EVIDENCE HARMFUL TO THE PRESIDENT, THEREBY CONVERTING CLEMENCY INTO AN INSTRUMENT OF OBSTRUCTION OF JUSTICE.**

- 4. PRESIDENT TRUMP PARDONED ROGER STONE, HIS LONG-TIME POLITICAL ADVISOR, CONVICTED OF OBSTRUCTION, WITNESS TAMPERING, AND LYING TO CONGRESS IN CONNECTION WITH THE INVESTIGATION INTO RUSSIAN INTERFERENCE IN THE 2016 ELECTION. STONE HAD PUBLICLY INDICATED HE WOULD NOT TESTIFY AGAINST TRUMP. HIS PARDON REWARDED THAT SILENCE AND REMOVED ANY FUTURE LEGAL INCENTIVE FOR COOPERATION WITH INVESTIGATORS.**
- 5. PRESIDENT TRUMP PARDONED MICHAEL FLYNN, HIS FORMER NATIONAL SECURITY ADVISOR, WHO PLEADED GUILTY TO LYING TO THE FBI ABOUT HIS CONTACTS WITH RUSSIAN OFFICIALS. FLYNN'S COOPERATION WITH INVESTIGATORS HAD THE POTENTIAL TO EXPOSE SENIOR ADMINISTRATION OFFICIALS. HIS PARDON REWARDED NON-COOPERATION AND ELIMINATED FUTURE LEGAL EXPOSURE THAT MIGHT HAVE INCENTIVIZED TESTIMONY AGAINST THE PRESIDENT.**
- 6. PRESIDENT TRUMP PARDONED PAUL MANAFORT, HIS FORMER CAMPAIGN CHAIRMAN, CONVICTED OF FINANCIAL CRIMES, WHO HAD INITIALLY COOPERATED WITH INVESTIGATORS BEFORE WITHDRAWING THAT COOPERATION. THE PATTERN OF PARDONING INDIVIDUALS WHO FACED CHARGES ARISING FROM INVESTIGATIONS CONNECTED TO THE PRESIDENT – PARTICULARLY THOSE WHO DECLINED OR WITHDREW COOPERATION – ESTABLISHES A DOCUMENTED PRACTICE OF USING CLEMENCY AS AN INSTRUMENT OF OBSTRUCTION.**

***CATEGORY C – PARDONS FOR PAY: BRIBERY THROUGH THE EXERCISE OF CLEMENCY***

**THE MOST CONSTITUTIONALLY GRAVE CATEGORY INVOLVES DOCUMENTED INSTANCES IN WHICH INDIVIDUALS OR THEIR ASSOCIATES MADE SUBSTANTIAL FINANCIAL PAYMENTS TO ENTITIES CONNECTED TO THE PRESIDENT IN CLOSE PROXIMITY TO THE RECEIPT OF PRESIDENTIAL CLEMENCY – CREATING THE DOCUMENTED APPEARANCE AND IN SOME CASES THE DOCUMENTED REALITY OF A MARKET FOR PARDONS.**

- 7. IN JANUARY 2026, PRESIDENT TRUMP PARDONED JULIO HERRERA VELUTINI, A FOREIGN BILLIONAIRE CHARGED WITH FEDERAL BRIBERY OFFENSES. IN THE PERIOD PRECEDING THE PARDON, HERRERA VELUTINI'S TWENTY-FIVE-YEAR-OLD DAUGHTER – WHOSE ONLY PRIOR POLITICAL CONTRIBUTION WAS TWENTY DOLLARS TO A DEMOCRATIC PRESIDENTIAL CAMPAIGN – CONTRIBUTED THREE AND A HALF MILLION DOLLARS TO A TRUMP SUPER PAC. THE CAMPAIGN LEGAL CENTER HAS FORMALLY REQUESTED AN INVESTIGATION INTO WHETHER HERRERA VELUTINI WAS THE TRUE SOURCE OF THIS CONTRIBUTION. THE TEMPORAL AND FINANCIAL CONNECTION**

**BETWEEN THE MULTI-MILLION-DOLLAR PAYMENT AND THE PARDON OF A FOREIGN NATIONAL CONVICTED OF BRIBERY IS EVIDENCE OF THE PRECISE OFFENSE THE CONSTITUTION IDENTIFIES BY NAME AS IMPEACHABLE.**

- 8. IN DECEMBER 2025, PRESIDENT TRUMP PARDONED TIMOTHY LEIWEKE FOLLOWING A \$250,000 DONATION TO TRUMP'S INAUGURAL COMMITTEE BY LEIWEKE'S COMPANY WHILE IT WAS UNDER DEPARTMENT OF JUSTICE SCRUTINY. THE PARDON WAS PRESSED IN A MEETING BETWEEN TRUMP AND A TRUMP ALLY DURING A ROUND OF GOLF AT MAR-A-LAGO. THE SEQUENCE – PAYMENT, ACCESS, PARDON – MIRRORS THE STRUCTURE OF THE BRIBERY OFFENSE THE CONSTITUTION EXPLICITLY NAMES AS A GROUND FOR IMPEACHMENT.**
- 9. LOBBYISTS OPERATING IN PROXIMITY TO THE TRUMP ADMINISTRATION ACCEPTED FEES OF \$300,000 AND \$960,000 RESPECTIVELY TO LOBBY FOR FEDERAL PARDONS ON BEHALF OF INDIVIDUALS SEEKING CLEMENCY. ONE OF THOSE PARDONS WAS GRANTED. THE EXISTENCE OF A FUNCTIONING COMMERCIAL MARKET FOR PRESIDENTIAL CLEMENCY – IN WHICH PAYMENT TO POLITICALLY-CONNECTED INTERMEDIARIES PRODUCES PRESIDENTIAL PARDONS – CONSTITUTES A CORRUPTION OF THE CLEMENCY POWER THAT THE FRAMERS EXPLICITLY IDENTIFIED AS IMPEACHABLE BRIBERY.**
- 10. THE CUMULATIVE EFFECT OF PRESIDENT TRUMP'S CLEMENCY PRACTICES IS A SYSTEM IN WHICH FINANCIAL CONTRIBUTION TO THE PRESIDENT'S POLITICAL INTERESTS, POLITICAL LOYALTY, AND FINANCIAL PAYMENT TO POLITICALLY-CONNECTED INTERMEDIARIES HAVE REPLACED THE LAWFUL CRITERIA FOR CLEMENCY. A FORMER CAREER DEPARTMENT OF JUSTICE ATTORNEY WHO SERVED AS PARDON ATTORNEY TESTIFIED BEFORE THE UNITED STATES SENATE THAT THE DEPARTMENT DEMONSTRATES 'ONGOING CORRUPTION' AND THAT ITS LEADERSHIP 'APPEARS TO VALUE POLITICAL LOYALTY ABOVE THE FAIR AND RESPONSIBLE ADMINISTRATION OF JUSTICE.'**

### **III. LEGAL ANALYSIS**

**THE THREE CATEGORIES OF CONDUCT DESCRIBED IN THIS ARTICLE ARE EACH INDEPENDENTLY SUFFICIENT TO CONSTITUTE IMPEACHABLE HIGH CRIMES AND MISDEMEANORS. TOGETHER THEY ESTABLISH A PATTERN OF SYSTEMATIC CORRUPTION OF A CONSTITUTIONAL POWER THAT IS AMONG THE MOST PERSONAL AND LEAST CHECKED GRANTED TO THE PRESIDENT.**

**CATEGORY A ESTABLISHES THAT TRUMP HAS USED THE PARDON POWER AS A POLITICAL PATRONAGE SYSTEM. CATEGORY B ESTABLISHES THAT HE HAS USED IT TO OBSTRUCT THE ADMINISTRATION OF JUSTICE. CATEGORY C ESTABLISHES THAT HE HAS USED IT AS A VEHICLE FOR BRIBERY – THE VERY OFFENSE THE CONSTITUTION NAMES BY NAME IN THE IMPEACHMENT CLAUSE.**

**JUSTICE SOTOMAYOR, DISSENTING IN TRUMP V. UNITED STATES, WARNED THAT THE COURT'S IMMUNITY RULING CREATED CONDITIONS UNDER WHICH A PRESIDENT WHO 'TAKES A BRIBE IN EXCHANGE FOR A PARDON' WOULD BE IMMUNE FROM PROSECUTION. IMMUNITY FROM CRIMINAL PROSECUTION DOES NOT MEAN IMMUNITY FROM IMPEACHMENT. THE REMEDY THE CONSTITUTION PROVIDES FOR PRECISELY THIS CONDUCT IS THE ONE THIS ARTICLE INVOKES.**

#### **IV. CONCLUSION**

**WHEREFORE, DONALD JOHN TRUMP, BY SUCH CONDUCT, WARRANTS IMPEACHMENT AND TRIAL, REMOVAL FROM OFFICE, AND DISQUALIFICATION TO HOLD AND ENJOY ANY OFFICE OF HONOR, TRUST, OR PROFIT UNDER THE UNITED STATES.**

*RESPECTFULLY SUBMITTED,*

**GREG GUTHUES**

**CANDIDATE, HAWAII'S 2ND CONGRESSIONAL DISTRICT  
STATE OF HAWAII**