

Statement of
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before the
Committee on the Judiciary
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Chairman Grassley, Ranking Member Durbin, and Members of the Committee, thank you for the opportunity to discuss my work as Special Counsel in the investigation and prosecution of President Trump for his alleged unlawful retention of classified documents and obstruction of justice, and role in attempting to overturn the results of the 2020 election and interfere with the lawful transfer of power.

I have been fortunate to serve a country that I love for nearly 30 years in local, national, and international settings. My service has spanned both Republican and Democratic administrations. I am not a politician, and I have no partisan loyalties. My career has been dedicated to serving our country by upholding the rule of law and the core principles on which our country was founded.

I believe that there is no role for politics in the proper administration of justice. A prosecutor's decisions must be based on the facts and the law. The status, power, prominence, or political affiliation of the subject of an investigation must play no role in decisions to investigate, prosecute, or decline prosecution.

I approached my role as Special Counsel following these principles. The Special Counsel's Office followed Justice Department policies, observed legal requirements, and took actions based on the facts and the law. I stand by my decisions as Special Counsel, including my decision to bring charges against President Trump. I made these decisions without regard to President Trump's political association, activities, beliefs, or candidacy in the 2024 presidential election. Our investigation developed proof beyond a reasonable doubt that President Trump engaged in criminal activity. If asked whether to prosecute a former President based on the same facts today, I would do so regardless of whether that President was a Republican or a Democrat.

The charges against President Trump were the result of the evidence. Grand juries in two separate districts reached this conclusion based on his actions, as alleged in the indictments they returned. Rather than accept his defeat in the 2020 presidential election, President Trump engaged in a criminal scheme to overturn the results and prevent the lawful transfer of power. The evidence showed that President Trump attempted to induce state officials to ignore true vote counts; to manufacture fraudulent slates of presidential electors in seven states that he had lost; to force his own Vice President to act in contravention of his oath and to instead advance President Trump's personal interests; and, on January 6, 2021, to direct an angry mob to the United States Capitol to obstruct the congressional certification of the presidential election and then exploit the rioters'

violence to further delay it. Over 140 heroic law enforcement officers were assaulted that day, a fact we should never forget.

And, as set forth in the original and superseding indictments issued in the Southern District of Florida, President Trump stored classified documents at his Mar-a-Lago social club after he left office in January 2021 and he repeatedly tried to obstruct justice to conceal his continued retention of those documents. Highly sensitive information was held in non-secure locations, including a bathroom and a ballroom where events and gatherings took place. Tens of thousands of people came to the social club during the time period when those classified documents were stored there.

As with my appearances before the U.S. House of Representatives Committee on the Judiciary, I am prepared to answer your questions truthfully. I stand by my testimony before the House of Representatives. I will not be silenced by the continued threats of prosecution from the President or others.

I will also adhere to the Justice Department's authorization governing the scope of my testimony while constrained by Judge Cannon's order restricting the discussion of Volume II of my report regarding the classified documents case. As a result of Judge Cannon's order and the Justice Department's interpretation of that order, I am not permitted to discuss the contents of Volume II of my report, and can only discuss matters with respect to that case if they are set forth in the indictment or other public filings. Similarly, I cannot discuss the contents of the documents at issue in the case due to their sensitive nature.

As I appear before you today, it is my belief that the rule of law faces challenges unlike any we have experienced in our lifetime. Individuals are threatened with criminal investigation because they are perceived to have opposed the President. Predetermined outcomes increasingly seem to take precedence over the Justice Department's long-standing core values, traditions, and norms. History teaches that the rule of law is rarely destroyed all at once. It is often weakened by attacks on the institutions and public servants sworn to uphold it. Since January 2025, we have witnessed precisely such an effort, including the vilification of the career prosecutors, FBI agents, and support staff who served on my team, simply because of their unwavering commitment to the fair and impartial administration of justice without regard for any personal costs.

I myself have been threatened with jail by the President of the United States.

I remain confident, however, that the rule of law will endure because so many continue to uphold it faithfully each day. Throughout our legal system, public servants have remained faithful to their oaths despite extraordinary pressure to do otherwise. Their example demonstrates that while fear may be contagious, courage is as well.

Thank you for the opportunity to testify today. I look forward to your questions.