

Statement of
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before the
Committee on the Judiciary
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Chairman Jordan, Ranking Member Raskin, 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 love my country and believe deeply in the core principles on which it was founded. For nearly three decades, I served as a career prosecutor, spanning both Republican and Democratic administrations. I have handled cases ranging from domestic assault, rape, armed robbery and murder, to gang violence, narcotics trafficking, and civil rights violations. I have prosecuted public corruption and election crimes across the United States, and I have prosecuted war crimes abroad. 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.

Throughout my public service, my approach has always been the same: follow the facts and the law, without fear or favor. Experienced prosecutors understand that specific case outcomes are beyond our control; our responsibility is to do the right thing, the right way, for the right reasons. These principles have guided me in every role I have held—as an Assistant District Attorney in Manhattan; a federal prosecutor in Brooklyn; Chief of the Public Integrity Section at the Department of Justice; Acting U.S. Attorney in Tennessee during President Trump’s first term; an international war crimes prosecutor; and as Special Counsel.

During my tenure as Special Counsel, we followed Justice Department policies, observed legal requirements, and took actions based on the facts and the law. I made my decisions without regard to President Trump’s political association, activities, beliefs, or candidacy in the 2024 presidential election. President Trump was charged because the evidence established that he willfully broke the very laws that he took an oath to uphold. 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. 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 I testify before the Committee today, I want to be clear: I stand by my decisions as Special Counsel, including my decision to bring charges against President Trump. 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. No one should be above the law in our country and the law required that he be held to account. So that is what I did. To have done otherwise on the facts of these cases would have been to shirk my duties as a prosecutor and a public servant, which I had no intention of doing. This is why I appreciate the opportunity to appear today and to correct the false and misleading narratives advanced about our work. I am prepared to do so while adhering to the Justice Department's authorization governing the scope of my testimony and while constrained by Judge Cannon's order restricting the discussion of Volume II of my report regarding the classified documents case. To that end, and as a result of Judge Cannon's order and the Justice Department's interpretation of that order, I will not be able to discuss the contents of Volume II of my report, and can only discuss matters with respect to that case that 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.

I remain grateful for the counsel, judgment, and advice of the career prosecutors, FBI agents, and support staff with whom I worked as I executed my responsibilities. My team exercised independent judgment and acted in the highest traditions of the Justice Department in the face of threats to our safety and unfounded attacks on our character and integrity. I am saddened and angered that President Trump has sought revenge against them, and others who worked on cases related to the attack on this Capitol, for simply having worked on these cases, for simply having done their jobs. In my opinion, these people are the best of public servants, our country owes them a debt of gratitude, and we are all less safe because many of these experienced and dedicated law enforcement officials have been fired.

Adherence to the rule of law is not a partisan concept or endeavor. The Justice Department's core values, and the traditions and norms I was raised on as a prosecutor, are not meant to change from one administration to the next. After nearly 30 years of public service, including in international settings, I have seen how the rule of law can erode. My fear is that we have seen the rule of law function in this country for so long that many of us have come to take it for granted. But, the rule of law is not self-executing—it depends on our collective commitment to apply it. It requires dedicated service on behalf of others, especially when that service is difficult

and comes with costs. Our willingness to pay those costs is what tests and defines our commitment to the rule of law and to this wonderful country.

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