

# [***Trump should not be allowed to use courtroom to sow disinformation, special counsel argues***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:69YT-7K61-JBSS-S1HX-00000-00&context=1516831)

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**Body**

(CNN) &#8212; Justice Department prosecutors say they want to prevent former President Donald Trump from sowing disinformation and claiming he's a victim of political persecution as part of his defense in his [*2020 election subversion trial*](https://www.cnn.com/2023/12/22/politics/supreme-court-trump-immunity-jack-smith/index.html) in federal court.

In a new court filing Wednesday, prosecutors laid out some of the crucial parameters that prosecutors with special counsel Jack Smith's office are seeking as they continue to prepare to face a jury at Trump's upcoming criminal trial.

"The Court should not permit the defendant to turn the courtroom into a forum in which he propagates irrelevant disinformation, and should reject his attempt to inject ***politics*** into this proceeding," prosecutors wrote.

The prosecutors say the former president may be trying to politicize the trial to convince jurors to ignore the facts of the case and acquit him because they disagree with the prosecution - not based on any legal standard.

Prosecutors are also asking the court to prohibit Trump from suggesting the Biden administration directed the case to be brought against him for political reasons.

"Much as the defendant would like it otherwise, this trial should be about the facts and the law, not ***politics***," the prosecutors wrote.

Most of the proceedings in the case have been suspended, as an appeal is pending over whether Trump can be shielded from prosecution because of presidential immunity.

The question about presidential protections that Trump hopes to use as part of his defense will need to be settled before Trump goes to trial, which is currently scheduled for March 2024. It is also likely that any ruling by the appeals judges will be brought before the Supreme Court.

But Smith's office continues to meet previously set deadlines in the case, indicating they hope to keep the trial on track for this spring, in case the appeals are resolved quickly.

As part of their argument, prosecutors with Smith's team pointed to things that Trump and his defense lawyers have already said in court or on the campaign trail, including that he truly believed the election was being stolen and therefore he shouldn't be prosecuted.

Prosecutors asked the judge to bar witnesses from speculating on Trump's state of mind around the 2020 presidential election, saying that they should only be allowed to testify about what they personally observed about the former president.

They also pointed to comments Trump and his team have made blaming "law enforcement, military forces, unidentified secret agents, and foreign influence" for the January 6, 2021, attack at the US Capitol.

"A bank robber cannot defend himself by blaming the bank's security guard for failing to stop him. A fraud defendant cannot claim to the jury that his victims should have known better than to fall for his scheme. And the defendant cannot argue that law enforcement should have prevented the violence he caused and obstruction he intended," they wrote.

Trump had no knowledge of "undercover actors" in the mob during the attack, prosecutors said, and has not produced any evidence that foreign influence motivated rioters "rather than his own lies."

Trump faces four counts in the case, including conspiring to defraud the United States and to obstruct an official proceeding. The former president [*has pleaded not guilty.*](https://www.cnn.com/2023/08/03/politics/arraignment-trump-election-interference-indictment/index.html)

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