Attachment C

From: Ryan McBride [redacted]@UtahCounty.gov>
Sent: Wednesday, January 21, 2026 1:10 PM
To: Chad Grunander [redacted]@UtahCounty.gov>
Subject: FW: C. Kirk media statements

From: [redacted]@utah.gov>
Sent: Sunday, September 14, 2025 4:29 PM
To: Ryan McBride [redacted]@UtahCounty.gov>; Jeff Gray [redacted]@utahcounty.gov>; David Sturgill [redacted]@UtahCounty.gov>; Chad Grunander [redacted]@UtahCounty.gov>; Christopher Ballard [redacted]@utahcounty.gov>
Cc: Robert Carroll [redacted]@utah.gov>; Adam Duncan [redacted]@utah.gov>
Subject: Fwd: C. Kirk media statements

Ryan,

[redacted] shared this with me. I am Governor Cox's general counsel. I have not really had an opportunity to review the materials you sent yet. But would it be helpful to jump on a call for a few minutes tomorrow? If so let me know what times may work for you.

Best,

[redacted]

---------- Forwarded message ---------
From: **Ryan McBride** [redacted]@utahcounty.gov>
Date: Sun, Sep 14, 2025 at 3:18 PM
Subject: C. Kirk media statements
To: [redacted]@utah.gov [redacted]@utah.gov>
Cc: Christopher Ballard [redacted]@utahcounty.gov>, Jeff Gray [redacted]@utahcounty.gov>, David Sturgill [redacted]@utahcounty.gov>, Chad Grunander [redacted]@utahcounty.gov>

Rob,

I want to thank you for your responsiveness to my office regarding public statements to this point. As I'm watching the news (which I'm really not doing too much), my eye is keen on statements that could create additional litigation for us in the criminal case. One such statement has come up.

A statement that the suspect is not cooperating makes me nervous. This is because, under the Constitution, a person's assertion of their rights cannot be held against them. Better to avoid that topic if possible and have a one-liner response ready if the question is asked.

The comment to Rule 3.6 of the rules of professional responsibility (applicable to some beyond the prosecutor via rule 3.8) reads as follows:

> [5] There are certain subjects that are more likely than not to have a material prejudicial effect on a proceeding, particularly when they refer to a criminal matter or any other proceeding that could result in incarceration. These subjects relate to:
>
> > (i) the character, credibility, reputation or criminal record of a suspect in a criminal investigation or witness, or the identity of a witness, or the expected testimony of a party or witness;
> >
> > (ii) in a criminal case or proceeding that could result in incarceration, the possibility of a plea of guilty to the offense or the existence or contents of any confession, admission or statement given by a defendant or suspect ***or that person's refusal or failure to make a statement****;* (emphasis is mine)
> >
> > (iii) the performance or results of any examination or test or the refusal or failure of a person to submit to an examination or test, or the identity or nature of physical evidence expected to be presented;
> >
> > (iv) any opinion as to the guilt or innocence of a defendant or suspect in a criminal case or proceeding that could result in incarceration; or
> >
> > (v) information that the lawyer knows or reasonably should know is likely to be inadmissible as evidence in a trial and that would, if disclosed, create a substantial risk of prejudicing an impartial trial.

The rule in its entirety is available here: https://legacy.utcourts.gov/rules/view.php?type=ucja&rule=13-3.6

Remember that information contained in the public record is fair game. The Governor is on firm ground when he relies on the booking probable cause statement and, in the future, on the probable cause statement that will be included in the Criminal Information. With this in mind, I am asking that your team to carefully consider the parameters outlined in the rule above and my attached letter.

I know the public has an extraordinary interest in this case and the Governor has the duty to ensure Utahns know they are safe from the shooter. He has every right and expectation to speak to our state about this case. In the statements I have seen, he has done so very well. I also want to thank you for being so responsive and trying to get in front of the potential issues that could come up – as you and the Governor's and DOJ's teams have up to this point.

For now, the safest course is to hold off on commenting about specific evidence not yet included in the public record until my office makes them part of the public record in the filing of the information, after we have time to review the evidence and reports to ensure their reliability and admissibility. This will avoid risk in the criminal prosecution.

Thank you.

Ryan McBride

General Crimes Division Chief

Utah County Attorney's Office

100 East Center St., Ste. 2100

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Date: 9/12/2025

Re: Media statements re Tyler Robinson/Charlie Kirk

To all personnel likely to make media statements regarding the Charlie Kirk case:

The Utah County Attorney's Office has an ethical obligation to "exercise reasonable care to prevent investigators, law enforcement personnel," and others from making public comments which "have a substantial likelihood of materially prejudicing" the trial process in criminal cases. I write to satisfy that obligation and provide guidance to you regarding statements to the media.

Rule 3.6 of the Rules of Professional Conduct for attorneys outlines the parameters of permissible statements and can be found here. While these rules generally apply to attorneys, prosecutors have a special duty to ensure law enforcement and other officials adhere to these rules in criminal cases as well. See Rule 3.8(e). The point of the rules is ensure the defendant is afforded a fair trial by an impartial jury.

Key limitations to keep in mind include the following:

- Statements should be limited to information included in the public record – meaning the probable cause statement used in booking and legal papers filed in the case, like the charging document.
- Statements can include that the investigation is ongoing;
- Statements can include the next step of the criminal court process;
- Statements can include the date and place of the arrest; and
- Statements can include the names of officers and agencies involved in the investigation.

Statements should avoid the following:

- Statements about the defendant's character;
- Statements about the defendant's criminal history;
- Opinions about the defendant's guilt or proper punishment; and
- Any other statements which could risk violating the defendant's right to a fair trial.

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UTAH COUNTY ATTORNEY

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Prejudicial statements made to the media and public have created significant legal issues in high profile cases – which can cause the case to be moved to another county, sanctions on prosecutors, and even dismissal. We want to avoid those issues in all cases. Accordingly, we invite you to contact our office with any questions about this topic, especially when your agency receives press inquiries on high-profile cases.

Sincerely,

/s/ Ryan McBride
General Crimes Division Chief