Attachment D

From: Ryan McBride [redacted]@UtahCounty.gov>
Sent: Wednesday, January 21, 2026 1:14 PM
To: Chad Grunander [redacted]@UtahCounty.gov>
Subject: FW: Legal Guidance Re: Media Statements

From: Ryan McBride
Sent: Monday, September 15, 2025 11:20 AM
To: [redacted]@utah.gov
Subject: FW: Legal Guidance Re: Media Statements

From: Ryan McBride
Sent: Monday, September 15, 2025 9:25 AM
To: Christopher Ballard [redacted]@utahcounty.gov>; [redacted]@americanfork.gov>; [redacted]@byu.edu; [redacted]@lehi-ut.gov>; [redacted]@lindoncity.org>; [redacted]@lonepeakpolice.com>; [redacted]@mapleton.org; [redacted]@orem.gov; [redacted]@payson.org; [redacted]@pgcity.org; [redacted]@provo.org; [redacted]@salemcity.org>; [redacted]@santaquin.org>; [redacted]@saratogaspringscity.com; [redacted]@spanishfork.org>; [redacted]@springville.org; [redacted]@uvu.edu; [redacted]@utahcounty.gov>; [redacted]@fbi.gov; [redacted]@fbi.gov; [redacted]@fbi.gov
Cc: Jeff Gray [redacted]@utahcounty.gov>; Chad Grunander [redacted]@UtahCounty.gov>
Subject: RE: Legal Guidance Re: Media Statements

All,
As media continues to cover this case and we are seeing a lot of comments by officials, I want to reiterate the importance of the rules governing media relations from the State and Government. I have once again attached our media relations letter. I have also included some clarifications below.

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. Please thoroughly consult the rule before making any public statement.

Remember that information contained in the public record is fair game. Officials are on firm ground when they rely 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 teams 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 leaders have the duty to ensure our citizenry know they are safe from the shooter. The leaders of our state and country have every right and expectation to speak about this case. But it has to be done right. We will likely have to deal with every public statement via time-consuming litigation that is made outside of the parameters we have explained. Improper statements will at the least cost us time in getting to trial. At worst, they could have much graver consequences to the case.

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.

Finally, I don't know who the PIOs are for your organizations. I am relying on you to pass this information up or down the chain of command to the appropriate people.

Thank you

Ryan McBride
General Crimes Division Chief
Utah County Attorney's Office
100 East Center St., Ste. 2100
Provo, Utah 84606
(801) 851-8026

From: Christopher Ballard [redacted]@utahcounty.gov>
Sent: Friday, September 12, 2025 7:54 AM
To: [redacted]@americanfork.gov>; [redacted]@byu.edu; [redacted]@lehi-ut.gov>; [redacted]@lindoncity.org>; [redacted]@lonepeakpolice.com>; [redacted]@mapleton.org; [redacted]@orem.gov; [redacted]@payson.org; [redacted]@pgcity.org; [redacted]@provo.org; [redacted]@salemcity.org>; [redacted]@santaquin.org>; [redacted]@saratogaspringscity.com; [redacted]@spanishfork.org>; [redacted]@springville.org; [redacted]@uvu.edu; [redacted]@utahcounty.gov>; [redacted]@fbi.gov
Cc: Jeff Gray[redacted]@utahcounty.gov>; Ryan McBride [redacted]@UtahCounty.gov>; Chad Grunander [redacted]@UtahCounty.gov>
Subject: Legal Guidance Re: Media Statements

Chiefs and others,

Please carefully review the attached letter regarding ethical rules that bind prosecutors and, by extension, law enforcement agencies in making statements to the media.

Please ensure that your PIO's and other officers strictly adhere to this guidance, especially in making statements regarding the Charlie Kirk shooting at UVU.

Christopher D. Ballard

General Counsel / Chief of Staff
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UTAH COUNTY ATTORNEY

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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