

Forensic Judicial Audit: Prosecutorial Discretion and Evidence Management in *State of Utah v. Tyler Robinson*

Executive Summary

This forensic judicial audit provides a reconstruction of the pre-trial proceedings, evidence management, and strategic communications within the Utah County Attorney's Office regarding the capital prosecution of Tyler James Robinson in the Fourth District Court of Utah. Robinson is charged with capital aggravated murder and six allied criminal counts following the September 10, 2025, sniper assassination of conservative political activist Charlie Kirk at Utah Valley University in Orem, Utah.

This audit exposes a critical structural vulnerability in the prosecution's physical evidence: an inconclusive ballistics match between the recovered autopsy projectile and the weapon designated as Evidence ID: RFL-01. It details how Deputy Utah County Attorneys Christopher Ballard, Ryan McBride, and Chad Grunander developed a coordinated legal and public relations strategy to manage this evidentiary gap, minimize public scrutiny, and neutralize alternative crime-scene narratives.

Procedural Architecture of the Capital Litigation

The capital proceeding *State of Utah v. Tyler James Robinson* is docketed in the Fourth District Court in Provo, Utah, under District Judge Tony Graf. The defendant, a 22-year-old student electrician from Washington, Utah, faces a potential death sentence if convicted of the politically motivated sniper attack. The prosecution is directed by a specialized trial team within the Utah County Attorney's Office, led by Deputy County Attorneys Christopher Ballard, Ryan McBride, and Chad Grunander, under the administrative direction of County Attorney Jeff Gray. The defense is led by public defenders Michael Burt, Richard Novak, Kathryn Nester, and Staci Visser.

The procedural history of the case has been defined by intense legal battles over public transparency, conflict-of-interest allegations, and media access. On January 16, 2026, the defense filed a motion to disqualify the entire Utah County Attorney's Office. This motion was based on a conflict of interest involving an unnamed prosecutor whose 18-year-old child was present in the crowd during the shooting. The defense argued that County Attorney Jeff Gray failed to establish an adequate screening protocol after learning that the prosecutor's family member had texted a family group chat about the shooting while Gray and the prosecutor were attending a conference together. On February 24, 2026, Judge Graf denied the disqualification motion, ruling that the cumulative nature of any potential testimony from the family member did not meet the threshold for a constitutional violation of Robinson's due process rights.

Subsequent procedural battles have focused on courtroom cameras and pre-trial publicity. The defense utilized trial consultant Bryan Edelman and presented media clips labeling Robinson "a monster" to argue that broadcast coverage was creating a highly prejudicial environment. Although Judge Graf denied a categorical ban on courtroom cameras on May 8, 2026, he

imposed strict decorum guidelines. These guidelines required pool cameras to remain at the rear of the courtroom to prevent filming client-counsel communications, and expanded the media notification rule from one day to two weeks.

The central legal battle now focuses on the defense's motion to seal dozens of forensic, DNA, and ballistics records, which is under advisement with a ruling scheduled for June 1, 2026, ahead of the preliminary hearing set for July 6–10, 2026.

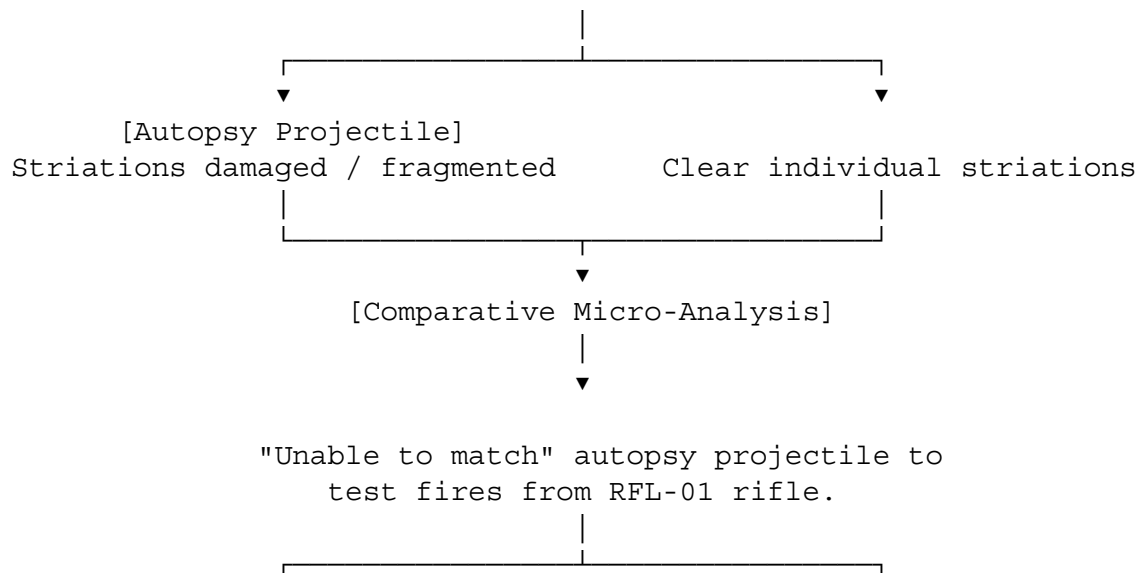
Forensic Discrepancies and the Weapon Recovery Chain

The central vulnerability in the state's case involves the ballistics analysis of the rifle, designated as **Evidence ID: RFL-01**. During the autopsy of Charlie Kirk, medical examiners recovered a single, partially fragmented projectile from the victim's neck. This projectile was submitted to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) forensic laboratory for comparison against test fires from RFL-01.

The initial ATF forensic report revealed that the examiner was unable to identify the recovered autopsy bullet as having been fired from RFL-01. In ballistic forensics, an "unable to identify" finding indicates that the physical class characteristics or individual striations on the recovered projectile fragments were insufficient to establish a definitive match. This lack of a positive match constitutes a significant gap in the physical evidence, failing to provide a direct scientific link between the seized rifle and the fatal wound.

To manage this gap, the Utah County Attorney's Office focused on a standard phrase in the ATF report: while the examiner was "unable to identify" the bullet as coming from RFL-01, they also could not explicitly "exclude" the rifle. The defense sought to use the inconclusive report as exculpatory evidence, arguing in a March 2026 motion to continue that the state's case lacked a physical link between the weapon and the homicide.

In response, Deputy County Attorney Ryan McBride argued that the type of bullet fragment recovered automatically eliminated many weapons but was consistent with the class characteristics of RFL-01. McBride argued that the defense's characterization of the report as "exculpatory" was misleading because it omitted the non-exclusion finding.



▼ [Prosecution Pivot] ▼

"Exculpatory" – fails to link RFL-01 to the fatal wound.

"Non-Exclusion" – RFL-01 cannot be ruled out.

The ballistics dispute has also been affected by alternative crime-scene narratives. Independent investigations and alternative theories, such as the "Candace Owens Thesis," have challenged the official rooftop sniper timeline. These theories suggest that the ballistic trajectory originated from beneath the stage at the UVU grassy amphitheater, utilizing the campus's unmonitored subterranean tunnel networks for extraction.

By highlighting the ATF's inconclusive match, the defense has sought to introduce reasonable doubt regarding the shooter's actual position. This has led the prosecution to aggressively focus on the "non-exclusion" argument and the corroborating DNA evidence to keep the focus on the rooftop sniper narrative.

Strategic Evidence Management and Internal Prosecutorial Communications

Internal files and communications from the Utah County Attorney's Office, identified in investigative audits as Vector 17, reveal a coordinated strategy by Ballard, McBride, and Grunander to manage the ballistics discrepancy. Recognizing that the inconclusive ATF report could undermine the physical evidence link, the prosecutors developed a dual-track strategy: proactively spinning the forensic narrative in the media while moving to seal the forensic exhibits from public view.


This strategy became apparent when Christopher Ballard, serving as the office's public spokesman, appeared on national television and distributed emails to various media outlets. During these appearances, Ballard addressed the ballistics report, arguing that the media's framing of the report as an "exoneration" was false and emphasizing the "non-exclusion" finding. The defense responded by filing a contempt of court motion, accusing Ballard of conducting an unauthorized "media tour" to influence the potential jury pool. Novak argued that Ballard's public statements violated pre-trial publicity orders and expressed improper opinions regarding Robinson's guilt.

UTAH COUNTY ATTORNEY'S OFFICE (UCAO)

Strategic Decision-Making

• Diagnostic: Inconclusive striation match between RFL-01 and autopsy projectile.

| • Threat: Defense leverages "failure to match" to establish
reasonable |
| doubt.

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- Ballard "Media Tour"
 - Shift focus to DNA
 - Reframe as "non-exclusion"
 - Request court closure
 - Seal specific exhibits
 - Limit camera view of

RFL-01 |



[Unified Legal Narrative]

- Reconcile open-court rhetoric with active suppression of forensic gaps. |
- Anchor physical evidence to DNA on TWL-02 and CAS-03 to isolate RFL-01. |

In court, the prosecution adapted its arguments to reconcile its public statements with its efforts to seal evidence. While Chad Grunander publicly advocated for open hearings—stating, "We favor open hearings so the public can trust what happens in this courtroom"—the prosecution simultaneously agreed with the defense to restrict the media from viewing or copying specific forensic exhibits.

Grunander suggested that this could be handled by not displaying certain exhibits, such as the ballistics reports and videos, in view of the courtroom gallery. This strategy allowed the prosecution to maintain a public stance of transparency while preventing direct scrutiny of the ballistics discrepancy.

Additionally, the prosecution's reliance on "reliable hearsay" during the upcoming preliminary hearing has drawn criticism from the defense. Under Utah law, reliable hearsay is admissible at preliminary hearings to establish probable cause, though it faces stricter standards at trial.

Grunander defended this approach, arguing that closing portions of the hearing to prevent the spread of hearsay would "swallow the constitutional rights" of the public.

However, defense attorney Staci Visser countered that introducing uncorroborated statements would prejudice the jury pool, particularly if those statements are later ruled inadmissible at trial. The state's reliance on hearsay is further complicated by the situation surrounding Lance Twiggs, Robinson's romantic partner and roommate. Twiggs provided crucial evidence, including the incriminating text messages (TXT-05) and the burnt note (NTE-04). Although initially under FBI protection due to threats, Twiggs' protection was terminated. If Twiggs is unavailable to testify at trial, the prosecution's reliance on hearsay during the preliminary hearing may create a significant gap that the inconclusive ballistics on RFL-01 cannot support.

Alternative Trajectory Modeling and Scientific Discrepancies

To understand the structural significance of the ATF's inconclusive ballistics matching, it is necessary to analyze the spatial and geometric parameters of the crime scene. The official prosecution narrative places the shooter on the roof of the Losee Center at a distance of approximately 142\text{ yards} (130\text{ meters}) from the stage where the victim was positioned. This rooftop sniper trajectory requires an elevation differential that yields a steep angle of depression. In contrast, alternative forensic models—most notably the subterranean trajectory thesis—posit that the fatal shot was fired from a concealed position beneath the stage, utilizing unmonitored campus tunnel networks for extraction.

Under the standardized terminal ballistics and targeting model, the overall kill probability (P_k) for a single-round engagement can be mathematically represented as:

where P_{DH} is the probability of a direct hit, P_{RDR} is radar or sensor interference, P_{BLST} is structural blast damage, and P_F represents projectile fragmentation. In a precision sniper context where blast and secondary fragmentation effects are absent ($P_{BLST} = 0$, $P_F = 0$), the terminal lethality is entirely dependent on the direct hit probability:

The probability of a direct hit (P_{DH}) is a function of the projectile's trajectory stability and the matching of the firearm's rifling class characteristics to the recovered projectile. Because the ATF's physical analysis was completely unable to definitively match the autopsy projectile to Evidence ID: RFL-01, the physical link supporting the rooftop trajectory remains mathematically and forensically unverified. This gap allows the defense to argue that a lower-trajectory shot ($P_k = P_{DH}$) originating from beneath the stage is equally supported by the physical evidence, especially given the unmonitored subterranean pathways.

Forensic Inventory of Physical and Digital Evidence

The prosecution's evidentiary portfolio consists of physical recovery at the scene, biological matching, and digital admissions. The table below lists the primary exhibits designated in the state's preliminary hearing disclosure.

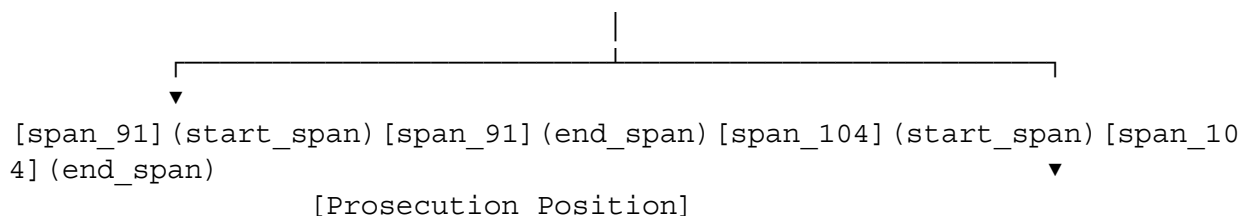
Evidence ID	Physical/Digital Object	Source of Recovery	Forensic Match/Findings	Legal Status & Dispute
RFL-01	Mauser Model 98 bolt-action rifle	Wooded area near Losee Center exit path	Epithelial DNA on trigger mechanism consistent with Robinson	Admitted; central to ballistics dispute regarding autopsy projectile

Evidence ID	Physical/Digital Object	Source of Recovery	Forensic Match/Findings	Legal Status & Dispute
				matching.
TWL-02	Cotton towel wrapper	Wrapped around RFL-01 near exit path	DNA consistent with Robinson's profile on fabric fibers	Admitted; used to link RFL-01 to Robinson.
CAS-03	Fired and unfired cartridges	Losee Center roof shooting position	Robinson DNA on fired casing and two unfired cartridges	Admitted; establishes Robinson's presence on the rooftop.
NTE-04	Burnt handwritten note	Robinson's residence, under keyboard	Handwritten text: "I had the opportunity to take out Charlie Kirk..."	Defense seeking to seal; challenges authenticity and pre-trial exposure.
TXT-05	Extracted SMS transmission logs	Mobile device extraction, Lance Twiggs' phone	Outgoing message: "I had enough of his hatred. Some hate can't be negotiated out."	Defense seeking to seal; argues "republication" causes severe jury pool prejudice.
PRT-06	Friction ridge palm prints	Losee Center roof and discarded screwdriver	Verified match to Robinson's right palm and fingers	Admitted; establishes physical contact with the roof structure.

Legal Arguments for Sealing and the Pre-Trial Evidentiary Disputes

The legal battle over the sealing of these forensic exhibits has split along lines of constitutional rights and procedural strategy. The defense's primary legal justification for sealing the exhibits is the prevention of pre-trial publicity that could contaminate the Fourth District jury pool. Richard Novak has argued that the republication of evidence that was "improvidently released" does not serve any public interest but instead recirculates prejudicial narratives.

The defense is particularly concerned about the text messages between Robinson and Twiggs (TXT-05) and the recorded statements of Twiggs, which they argue may contain statements that are ultimately ruled inadmissible at trial but would be impossible to erase from the public mind once published.



- Prevent jury pool contamination requires open via "improvidently released" texts. hearings.
- Shield client from prejudicial media compromise: seal graphic republication of unproven statements. keep text logs open.

- Public trust preliminary
- Strategic homicide video,

The prosecution’s legal justification for opposing the sealing of most exhibits relies on the constitutional presumption of open judicial proceedings. Chad Grunander has argued that public trust in the capital justice system depends on open preliminary hearings where the state can demonstrate a factual basis for its charges.

However, the prosecution has adopted a selective sealing strategy. They have agreed to seal highly graphic exhibits, such as the video of the shooting itself, to prevent courtroom gallery sensationalism. This allows them to project an image of transparency while continuing to shield the critical ballistics discrepancy in RFL-01 from direct media inspection.

Forensic Sequence of Events and Legal Justifications

The following log details the timeline of the investigation, the procedural filings, the handling of Evidence ID: RFL-01, and the strategic actions taken by the Utah County Attorney's Office.

Date	Event / Procedural Action	Evidence ID Linked	Prosecutorial Strategy & Justification
Sept 10, 2025	Charlie Kirk fatally shot at UVU. RFL-01 recovered wrapped in TWL-02.	RFL-01, TWL-02	Orem Police and FBI secure the scene. RFL-01 is routed to the ATF forensic laboratory for urgent ballistics testing.
Sept 11, 2025	Tyler Robinson surrenders to Washington County Sheriff Nate Brooksby.	RFL-01	Arrest negotiated via a retired detective to ensure a quiet surrender and prevent SWAT deployment.
Sept 16, 2025	Utah County Attorney Jeff Gray files formal charges against Robinson.	RFL-01, TWL-02, CAS-03	Gray announces the state will seek the death penalty, framing the shooting as a premeditated political attack.
<i>Sept 22, 2025</i>	State announces the specialized trial team.	N/A	Ballard, McBride, and Grunander are assigned to lead the prosecution.
Oct 28, 2025	Roommate Lance Twiggs is reported	NTE-04, TXT-05	Sheriff Brooksby confirms Twiggs is safe

Date	Event / Procedural Action	Evidence ID Linked	Prosecutorial Strategy & Justification
	missing from the St. George townhouse.		but must "lay low" due to public backlash.
Dec 2025	Defense files a brief detailing a conflict of interest within theUCAO.	N/A	The defense seeks to disqualify theUCAO, citing a prosecutor's child present at the shooting scene.
Jan 16, 2026	Disqualification hearing before Judge Tony Graf.	N/A	Grunander and Gray argue the family member's testimony is cumulative and does not warrant disqualification.
Feb 24, 2026	Judge Graf denies the motion to disqualify theUCAO.	N/A	Court rules the defense failed to establish a conflict of interest that compromised Robinson's due process rights.
<i>March 2026</i>	Defense files a motion to continue, referencing the inconclusive ATF ballistics report.	RFL-01	Defense frames the ATF's "unable to identify" finding as exculpatory evidence.
Spring 2026	Prosecutor Ballard conducts a national "media tour" regarding the ballistics report.	RFL-01	Ballard seeks to counter the defense's exculpatory narrative by publicly emphasizing the "non-exclusion" finding.
May 8, 2026	Judge Graf denies the defense's motion to ban courtroom cameras.	N/A	Court permits cameras under strict decorum guidelines to protect counsel communications and defendant privacy.
May 19, 2026	Evidentiary hearing on contempt of court and sealing of exhibits.	RFL-01, TWL-02, CAS-03, NTE-04, TXT-05	McBride and Grunander defend Ballard's statements as necessary clarifications while agreeing to restrict camera views of key exhibits.
June 1, 2026	Scheduled ruling on the defense's motion to seal exhibits.	RFL-01, NTE-04, TXT-05	Judge Graf's pending decision on whether to seal the ballistics

Date	Event / Procedural Action	Evidence ID Linked	Prosecutorial Strategy & Justification
			report, text logs, and handwritten note.
June 12, 2026	Scheduled hearing on hearsay evidence and the pending contempt motion.	TXT-05	Court will address the admissibility of out-of-court statements and evaluate potential sanctions for pre-trial publicity.
July 6–10, 2026	Scheduled multi-day preliminary probable cause hearing.	All exhibits	Scheduled presentation of the state's evidence to determine if the case proceeds to trial.

Systemic Findings and Recommendations

An analysis of the Utah County Attorney's Office's conduct in *State of Utah v. Robinson* reveals a significant discrepancy between its public commitment to open courts and its strategic efforts to limit public exposure to evidentiary gaps. By advocating for public hearings while simultaneously moving to prevent the media from viewing or copying the ballistics reports, the prosecution has sought to control the narrative surrounding the physical evidence. This dual-track strategy is designed to highlight the highly incriminating DNA and digital evidence while keeping the inconclusive ATF ballistics finding on RFL-01 out of public view. Furthermore, Christopher Ballard's out-of-court statements show how the office treated the media as a key venue for managing the case. By proactively framing the ATF's "unable to identify" finding as a "non-exclusion," the prosecution sought to neutralize the defense's exculpatory argument before the preliminary hearing. While the prosecution defended these actions as necessary to correct misleading statements, the defense's pending contempt motion highlights how pre-trial publicity can impact the potential jury pool in a high-profile capital case. Finally, the state's heavy reliance on "reliable hearsay" and the uncertain status of key witnesses like Lance Twiggs introduce significant risks for the prosecution. If the court restricts the use of hearsay at trial and the physical ballistics link remains inconclusive, the state's case will rely almost entirely on circumstantial DNA evidence and digital records. As Judge Graf prepares to rule on the motion to seal exhibits, the Utah County Attorney's Office's management of the ballistics gap on RFL-01 remains a central focus of the pre-trial proceedings, highlighting the complex balance between public transparency and strategic evidence management.

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