



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of Government Operations,
Division of Archives and Records Service

KENNETH WILLIAMS
Division Director, State Archivist

Government Records Office

LONNY J. PEHRSON
Director

Appeal Req. #2025-150

Sent via email

October 24, 2025

Lori Jane Gliha
2323 Delgany St.
lj@scripps.com

Dear Lori Gliha,

The Government Records Office has received your appeal regarding Washington County's denial of your request for video and photos of Tyler Robinson. This appeal is tentatively set for January 22, 2026; however it may move. When the agenda is set, I will notify you as soon as possible. Until then, the Director recommends mediation with the [Government Records Ombudsman, Monica Minaya](#) to resolve the appeal. You may contact her at your earliest convenience at (385)227-1226 or mminaya@utah.gov.

During the hearing, you or your representative will be allowed to testify and present evidence to develop your case. Please keep presentations before the director about record access. You will have 5 minutes for your presentation and 5 minutes for closing statements.

If you have any additional supporting documentation for your appeal, please send it to me and to the governmental entity **no later than five business days before the hearing**. Any materials sent later than five business days will not be added to the appeal file.

If you wish to have any witnesses for part of your presentation, please let me know. You can review the Administrative Rules (R35) online [here](#) or adminrules.utah.gov.

If the director fails to issue a decision within 73 calendar days, you have the option to consider that a denial. If you do, you have 30 days to appeal to the district court from that date. (See [Utah Code 63G-2-403\(13\)](#) and [63G-2-404\(1\)](#).)

Please let me know if you have any questions.

Sincerely,

Page 2
October 24, 2025

e/s: Rebekkah Shaw

Rebekkah Shaw
Government Records Office
Division of Archives and Records Service
346 S. Rio Grande Street
Salt Lake City, UT 84101-1106
(385)386-1955
GovernmentRecordsOffice@utah.gov



State of Utah

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Department of Government Operations,
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Division Director, State Archivist

Government Records Office

LONNY J PEHRSON
Director

Appeal Req. # 2025-150

Sent via email

October 24, 2025

Victor Iverson
750 S. 5300 W.
Hurricane, UT 84737
gramaappeals@washco.utah.gov

Dear Mr. Iverson,

The Government Records Office has received an appeal from Scripps News regarding Lori Gliha's September 17th request. This appeal is tentatively set to be heard on January 22, 2026; however it may move. When the agenda is set, I will notify you as soon as possible. Until then, please consider mediation with the Government Records Ombudsman, Monica Minaya to resolve the appeal. You may contact her at your earliest convenience at (385)227-1226 or mminaya@utah.gov.

When your appeal is on the agenda, you will receive an email before the meeting. If the Government Records Office fails to issue a decision within 73 calendar days, the petitioner has the option to consider that a denial and appeal to the district court. (See [Utah Code 63G-2-403\(13\)](#) and [63G-2-404\(1\)](#).)

You are required to submit, no later than five business days prior to the hearing, a written statement of facts, reasons, and legal authority supporting your position. Under Utah Code 63G-2-403(5), you must also send copies of the same statements to the petitioner by first-class mail. Please be aware that **anything submitted later than five business days will not be accepted.** You can review the Administrative Rules (R35) for hearing and submission procedures online at adminrules.utah.gov.

During the hearing, you or your representative will be allowed to testify and present evidence to develop your case. Please keep presentations to the subject of record access. You will have 5 minutes for your presentation and 5 minutes for closing statements. If you need more time, you can ask at the hearing.

If you wish to call any witnesses as part of your presentation, please let me know. You can review the administrative rules for hearing procedures online [here](#). If

Page 2
October 24, 2025

counsel will be presenting for you, please make sure they are familiar with the request and the reasons for denial.

Under the authority of Utah Code 63G-2-403(9)(a), the Government Records Office director may review the disputed records in camera. **Therefore, please have the records in question available at the hearing and Bates stamped.** You may provide a copy to me before the hearing or bring them to the meeting.

Please let me know if you have any questions.

Sincerely,
e/s: Rebekkah Shaw

Rebekkah Shaw
Government Records Office
Division of Archives and Records Service
346 S. Rio Grande Street
Salt Lake City, UT 84101-1106
(385)386-1955
GovernmentRecordsOffice@utah.gov

Subject: Fwd: APPEAL SCRIPPS NEWS WASHINGTON COUNTY FOOTAGE

From: Records/GRAMA <records@washeriff.net>

Date: 9/23/2025, 11:36 AM

To: [REDACTED] Nate Brooksby <nbrooks@washeriff.net>

Hello,

We received the GRAMA appeal below via email on 09/23/25. At the time, reply 1 was sent prior to my knowledge of having video of Tyler Robinson at the Sheriff's Office. What are your thoughts on releasing any of the footage? I do not have access to the video in the interview rooms.

Stephanie,

-Records Department
Washington County Sheriff's Office
records@washeriff.net

Please be advised, this report is being shared with you per UCA 63G-2-206. Do not disseminate further.

From: "Gliha, Lori Jane" <LoriJane.Gliha@scripps.com>

To: gramaappeals@washco.utah.gov, "victor iverson" <victor.iverson@washco.utah.gov>

Cc: "brittany freeman" <Brittany.Freeman@scripps.com>, "Craig, Sadie" <sadie.craig@scripps.com>, "Records/GRAMA" <records@washeriff.net>

Sent: Tuesday, September 23, 2025 8:26:26 AM

Subject: APPEAL SCRIPPS NEWS WASHINGTON COUNTY FOOTAGE

Washington County Commission Chair
Washington County Commission
197 East Tabernacle Street
St. George, UT 84770

Re: GRAMA Appeal — Improper Denial Under Utah Code Ann. § 63G-2-305(10)

Dear Chairman Iverson and the GRAMA appeals committee,

Pursuant to Utah Code Ann. § 63G-2-401, I submit this formal appeal of the Washington County Sheriff's Office denial of my Government Records Access and Management Act (GRAMA) request for video footage. I requested the following.

*Please provide all body camera footage of Tyler J Robinson in which he was taken into custody/surrendered in relation to the shooting death of Charlie Kirk. This would have happened on 9/10/25 and/or 9/11/2025 and/or 9/12/2025. Please **include all video and photos taken of Robinson**. Please include all jail surveillance and interrogation video **and/or surveillance footage that captured Robinson on these dates as well**.*

I received two denials. One indicated your office did not have records I was requesting and the other denial cited § 63G-2-305(10), claiming the records "could reasonably interfere with criminal enforcement proceedings and the criminal prosecution of the subject, and would create a danger of depriving the subject to a fair trial or impartial hearing."

Respectfully, the Washington County Sheriff held [a public press conference](#) about the events captured in this video. If those public comments and description of the events was acceptable to be released publicly, the footage should also meet that threshold.

Even if some small portion of the video record is exempt, you should redact and produce the non-exempt portions, which would at a minimum be everything the sheriff has publicly discussed.

The statutory exemption under § 63G-2-305(10) only applies when releasing the record “**reasonably could be expected to interfere with investigations**” or disclose investigative techniques, confidential sources, or jeopardize proceedings. According to publicly available information and confirmation from the Sheriff’s Office, **no investigation is ongoing** within the custodian agency. In addition:

1. The video contains **no audio and no verbal statements** that could reveal investigative details or witness testimony.
2. The content is purely visual and depicts events in a non-investigative context.
3. This footage, upon description by the Sheriff (having said the suspect says nothing) contains nothing that could reasonably interfere with such efforts.

The Utah State Records Committee and Ombudsman have consistently held that § 63G-2-305(10) must be **narrowly construed** to avoid unjustified secrecy (see *Deseret News Publishing Co. v. Salt Lake County*, 2008). The burden of proof rests with the governmental entity to demonstrate specific harm from disclosure — **general assertions of investigative status are insufficient**.

Furthermore, Utah Code Ann. § 63G-2-102(1) establishes a **presumption of public access**, and exemptions must be applied only when strictly necessary. Here, withholding the footage lacks both legal and factual basis; releasing it would not jeopardize law enforcement objectives and would advance the transparency obligations of county government.

Given this clear statutory framework and precedent, I respectfully request that the Commission **reverse the denial and order immediate release** of the requested video. Upholding transparency in this matter strengthens public trust and fulfills GRAMA’s legislative intent.

Thank you for your prompt consideration.

Sincerely,

Lori Jane Gliha



Lori Jane Gliha
Senior National Investigative Correspondent
t: (303) 817-3177 m: (303) 817-3177
e: lj@scripps.com
scrippsnews.com

1. *Deseret News Publishing Co. v. Salt Lake County*, 2008 UT App 452, 200 P.3d 1003

- The Utah Court of Appeals held that exemptions under GRAMA must be **narrowly construed**, and government entities bear the burden to **articulate a specific, demonstrable harm** that would result from disclosure.
- The Court rejected “blanket assertions” of harm or interference with investigations, noting that disclosure is favored unless

the agency provides concrete evidence that release would obstruct an active investigation.

2. Utah State Records Committee Decision 2014-17 (*KSL-TV v. Unified Police Department*)

- The Committee ordered release of law enforcement video when the custodian claimed investigative exemption without proving specific harm.
- The Committee emphasized that:

“The mere possibility of an investigation does not justify withholding. The agency must show that disclosure would interfere in fact, not in speculation.”

3. Utah State Records Committee Decision 2017-02 (*Salt Lake Tribune v. Utah Highway Patrol*)

- The Committee held that dash-cam and body-cam footage must be released when the investigation is closed or non-existent, in the absence of clear evidence of interference.
- Importantly:

“Records without audio or identifying witness statements pose little to no risk of investigative harm.”

4. Statutory Interpretation — Presumption of Access

- Utah Code Ann. § 63G-2-102(1) establishes that:

“It is the policy of this state that the public shall have access to the records of government...”

- § 63G-2-305(10) must be applied only when **necessary and justified**, not merely convenient.
-

Summary of Application to Present Appeal:

- The Washington County Sheriff’s Office has **no ongoing investigation** related to the footage requested.
 - The video is **silent** and lacks content that could reveal witnesses, investigative techniques, or confidential sources.
 - Precedent dictates that speculative interference claims are legally insufficient, and withholding without specific proof of harm violates GRAMA’s presumption of openness.
-

Requested Action:

Reverse the denial and order immediate public release of the video footage in accordance with GRAMA and governing precedent.

— Attachments: —

Gliha, Lori Reply 2.pdf

250 KB

Gliha, Lori Reply 1.pdf	227 KB
Gliha Request 1.pdf	192 KB
Gliha Request 2.pdf	192 KB
Gliha Request Appeal.pdf	378 KB

Subject: GRAMA Appeal – Denial under Utah Code § 63G-2-305(10)

From: "Pastrovic, Karlo" <karlo.pastrovic@fox.com>

Date: 10/10/2025, 12:38 PM

To: Records/GRAMA <records@washeriff.net>

Dear Sheriff Brooksby,

We are writing to formally appeal the denial of our GRAMA request under Utah Code § 63G-2-401.

The cited reason for denial was Utah Code § 63G-2-305(10), which allows withholding of records if release would interfere with an ongoing investigation or related enforcement proceeding. We respectfully challenge that this exemption applies in this instance.

The requested record—a video of the suspect turning himself in at the Sheriff's Office—pertains to an event already publicly described and acknowledged in official statements. Its disclosure would not interfere with any ongoing investigation, reveal confidential sources, or compromise enforcement techniques as described under Subsection (10)(a)–(e). To our understanding, the act of surrender has concluded, and therefore no investigative harm could result from the release of this specific footage.

Accordingly, we request that the denial be reconsidered and that the record be released, or alternatively, that any truly protected portions be redacted and the remainder disclosed, consistent with Utah Code § 63G-2-308.

Thank you for your attention to this appeal.

Sincerely,

Karlo Pastrovic
Deputy Managing Editor,
Photography and Video
Fox News Digital
C: 917-977-0605

From: Records/GRAMA <records@washeriff.net>

Date: Monday, September 22, 2025 at 12:52 PM

To: Pastrovic, Karlo <karlo.pastrovic@fox.com>

Subject: Re: GRAMA Request - By Karlo Pastrovic submitted 09/19/2025 04:38:36 PM

Hello,

Please see the attached.

-Records Department
Washington County Sheriff's Office
records@washeriff.net

Please be advised, this report is being shared with you per UCA 63G-2-206. Do not disseminate further.

From: "WCSO" <noreply@washeriff.net>
To: grama@washeriff.net
Sent: Friday, September 19, 2025 4:38:36 PM
Subject: GRAMA Request - By Karlo Pastrovic submitted 09/19/2025 04:38:36 PM

GRAMA Request

From:
Karlo Pastrovic
03/31/1972
1211 Avenue of the Americas, New York, NY 10036
917 977 0605
karlo.pastrovic@fox.com

Request was submitted on: 09/19/2025 04:38:36 PM

Request:
I request a copy of the following record.

Record requested:
Dear Records Custodian,

Pursuant to the Utah Government Records Access and Management Act (GRAMA), Utah Code §§ 63G-2-101 through -901, I respectfully request the following public record:

Surveillance video showing Tyler Robinson entering the Washington County Sheriff's Office building to surrender on September 11, 2025.

This request is made in the public interest. As a journalist with Fox News Digital, I am seeking this footage for reporting purposes to inform the public about the conduct and procedures of a public agency. The information sought concerns government accountability and public safety, and is therefore of significant public concern.

If there are any concerns about exemptions or redactions, please cite the specific legal basis. If the total estimated cost exceeds \$50, I ask that you notify me before fulfilling the request.

Reason:
This request is made in the public interest. As a journalist with Fox News Digital, I am seeking this footage for reporting purposes to inform the public about the conduct and procedures of a public agency. The information sought concerns government accountability and public safety, and is therefore of significant public concern.

Entitled because:
OTHER
As a journalist with Fox News Digital, I am seeking this footage for reporting purposes to inform the public about the conduct and procedures of a public agency.

This message and its attachments may contain legally privileged or confidential information. It is

intended solely for the named addressee(s). If you are not an addressee indicated in this message (or responsible for delivery of the message to an addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments that does not relate to the official business of Fox Corporation, or its subsidiaries must be taken not to have been sent or endorsed by any of them. No representation is made that this email or its attachments are without defect.

— Attachments: —

image001.jpg

131 KB

APPEAL SCRIPPS NEWS WASHINGTON COUNTY FOOTAGE

From : Gliha, Lori Jane <LoriJane.Gliha@scripps.com>

Tue, Sep 23, 2025 08:26 AM

Subject : APPEAL SCRIPPS NEWS WASHINGTON COUNTY FOOTAGE

 1 attachment

To : gramaappeals@washco.utah.gov, victor iverson <victor.iverson@washco.utah.gov>

Cc : Freeman, Brittany <Brittany.Freeman@scripps.com>, Craig, Sadie <sadie.craig@scripps.com>, Records/GRAMA <records@washeriff.net>

Washington County Commission Chair
Washington County Commission
197 East Tabernacle Street
St. George, UT 84770

Re: GRAMA Appeal — Improper Denial Under Utah Code Ann. § 63G-2-305(10)

Dear Chairman Iverson and the GRAMA appeals committee,

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*Please provide all body camera footage of Tyler J Robinson in which he was taken into custody/surrendered in relation to the shooting death of Charlie Kirk. This would have happened on 9/10/25 and/or 9/11/2025 and/or 9/12/2025. Please **include all video and photos taken of Robinson**. Please include all jail surveillance and interrogation video **and/or surveillance footage** that captured Robinson on these dates as well.*

I received two denials. One indicated your office did not have records I was requesting and the other denial cited § 63G-2-305(10), claiming the records "could reasonably interfere with criminal enforcement proceedings and the criminal prosecution of the subject, and would create a danger of depriving the subject to a fair trial or impartial hearing."

Respectfully, the Washington County Sheriff held [a public press conference](#) about the events captured in this video. If those public comments and description of the events was acceptable to be released publicly, the footage should also meet that threshold.

Even if some small portion of the video record is exempt, you should redact and produce the non-exempt portions, which would at a minimum be everything the sheriff has publicly discussed.

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1. The video contains **no audio and no verbal statements** that could reveal investigative details or witness testimony.
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3. This footage, upon description by the Sheriff (having said the suspect says nothing) contains nothing that could reasonably interfere with such efforts.

The Utah State Records Committee and Ombudsman have consistently held that § 63G-2-305(10) must be **narrowly construed** to avoid unjustified secrecy (see *Deseret News Publishing Co. v. Salt Lake County*, 2008). The burden of proof rests with the governmental entity to demonstrate specific harm from disclosure — **general assertions of investigative status are insufficient**.

Furthermore, Utah Code Ann. § 63G-2-102(1) establishes a **presumption of public access**, and exemptions must be applied only when strictly necessary. Here, withholding the footage lacks both legal and factual basis; releasing it would not jeopardize law enforcement objectives and would advance the transparency obligations of county government.

Given this clear statutory framework and precedent, I respectfully request that the Commission **reverse the denial and order immediate release** of the requested video. Upholding transparency in this matter strengthens public trust and fulfills GRAMA's legislative intent.



**Washington County Sheriff's Office &
Purgatory Correctional Facility**

750 South 5300 West • Hurricane, Utah 84737
OFFICE (435) 656-6500 • FAX (435) 656-6599
Sheriff Nate Brooksby

November 10, 2025

William Francis Marshall,

Thank you for your appeal dated November 3, 2025. The Washington County Sheriff's Office does not have any of the following requested records: crime scene photographs, schematics, autopsy or coroner's reports, investigative or toxicology reports, body-worn or dashcam recordings, drawings, officers' handwritten notes, inventory logs, witness statements, dispatch communications, internal WCSO emails, or any other related records. We would refer you to the Utah County Attorney's Office and the Utah Attorney General's Office for records related to the investigation and prosecution related to this incident.

To the extent your request seeks interrogation video and an incident report related to the suspected shooter, the request is denied because these records are protected under Utah Code Section 63G-2-305(10). The release of these records could reasonably interfere with the ongoing investigation, could reasonably interfere with criminal enforcement proceedings and the criminal prosecution of the suspect, and would create a danger of depriving the suspect of a fair trial or impartial hearing.

You have the right under Utah Code Section 63A-12-204 to ask the government records ombudsman to mediate the dispute concerning this access denial. In addition, you have the right under Utah Code Section 63G-2-402 to appeal this decision to the director of the Government Records Office or to the district court. Any appeal must be filed within 30 calendar days of the date of this letter. If you submit a request for mediation in accordance with Utah Code Section 63A-12-204, the time for you to file an appeal is suspended to allow for the mediation. If you wish to appeal to the director of the Government Records Office, the appeal should be directed to the following:

Lonny Pehrson
Director, Government Records Office
346 S. Rio Grande
Salt Lake City, UT 84101-1106
(385) 386-1955
governmentrecordsoffice@utah.gov

Respectfully,

A handwritten signature in black ink, appearing to read "Nate Brooksby", is written over a long, horizontal line that extends across the page.

Nate Brooksby, Sheriff

Subject: Re: GRAMA Appeal – Denial under Utah Code § 63G-2-305(10)
From: Records/GRAMA <records@washeriff.net>
Date: 10/21/2025, 11:35 AM
To: karlo pastrovic <karlo.pastrovic@fox.com>

Hi Karlo,

Please see the attached.

-Records Department
Washington County Sheriff's Office
records@washeriff.net

Please be advised, this report is being shared with you per UCA 63G-2-206. Do not disseminate further.

From: "karlo pastrovic" <karlo.pastrovic@fox.com>
To: "Records/GRAMA" <records@washeriff.net>
Sent: Friday, October 10, 2025 12:38:29 PM
Subject: GRAMA Appeal – Denial under Utah Code § 63G-2-305(10)

Dear Sheriff Brooksby,

We are writing to formally appeal the denial of our GRAMA request under Utah Code § 63G-2-401.

The cited reason for denial was Utah Code § 63G-2-305(10), which allows withholding of records if release would interfere with an ongoing investigation or related enforcement proceeding. We respectfully challenge that this exemption applies in this instance.

The requested record—a video of the suspect turning himself in at the Sheriff's Office—pertains to an event already publicly described and acknowledged in official statements. Its disclosure would not interfere with any ongoing investigation, reveal confidential sources, or compromise enforcement techniques as described under Subsection (10)(a)–(e). To our understanding, the act of surrender has concluded, and therefore no investigative harm could result from the release of this specific footage.

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Sincerely,

Karlo Pastrovic
Deputy Managing Editor,
Photography and Video
Fox News Digital
C: 917-977-0605

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Date: Monday, September 22, 2025 at 12:52 PM
To: Pastrovic, Karlo <karlo.pastrovic@fox.com>
Subject: Re: GRAMA Request - By Karlo Pastrovic submitted 09/19/2025 04:38:36 PM

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Washington County Sheriff's Office
records@washeriff.net

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GRAMA Request

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OTHER

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— Attachments: —

Pastrovic, Karlo Appeal Reply.pdf

843 KB