

MARGARET H. OLSON (Bar No. 6296)  
SUMMIT COUNTY ATTORNEY  
PATRICIA S. CASSELL (Bar No. 5928)  
Chief Prosecutor  
BRAD BLOODWORTH (Bar No. 17851)  
Prosecutor  
JOSEPH S. HILL (Bar No. 10178)  
Prosecutor  
6300 Justice Center Road  
Park City, Utah 84098  
molson@summitcounty.org  
pcassell@summitcounty.org  
bbloodworth@summitcounty.org  
jhill@summitcounty.org  
(435) 615 3837

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**IN THE THIRD JUDICIAL DISTRICT COURT  
SUMMIT COUNTY, STATE OF UTAH**

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THE STATE OF UTAH,

Plaintiff

vs.

KOURI DARDEN RICHINS,

Defendant

**MOTION FOR NO CONTACT ORDER**  
(Expedited Decision Requested)

Judge Richard Mrazik  
Case No. 231500139

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**STATEMENT OF RELIEF SOUGHT**

The State of Utah respectfully requests that the Court enter a No Contact Order to prevent the Defendant from further engaging in witness tampering in violation of Utah Code § 76-8-508 and to protect the integrity of this proceeding.

**STATEMENT OF FACTS**

1. The Defendant is being held without bail at the Summit County Jail.

2. Pursuant to policy [Dkt. 213]<sup>1</sup>, on September 14, 2023, Summit County Sheriff's Deputies searched the cell block where the Defendant is housed, including the Defendant's specific cell.

3. That search revealed a six-page, handwritten letter that the Defendant wrote to her mother, Lisa Darden, hidden inside a book in the Defendant's cell. *See* [Dkt. 214].

4. The letter instructs Lisa Darden to induce the Defendant's brother, Ronald Darden, who is Lisa Darden's son, to testify falsely in this matter. The letter claims that defense counsel, "wants to link Eric [Richins] getting drugs and pills from Mexico" to the fentanyl that caused his death. No such link exists. Therefore, the Defendant concocts a false narrative for Ronald Darden to repeat whereby, "Eric told Ronney that he got Pain Pills and fentanyl from Mexico from the workers at the ranch." She allows that Ronald Darden can "reword [the narrative] however he needs to, to make the point just include it all." The Defendant explains that Ronald Darden "probably would need to testify to [the narrative], but its super short not a lot to it." She reiterates that this testimony, "can be short and to the point but has to be done." "Tell [Ronald] I need him to do this." The Defendant cautions Lisa Darden to convey the instructions to Ronald Darden in person because she worries that Lisa Darden's "house and phone are bugged."

5. The letter is evidence of witness tampering. Utah Code § 76-8-508(1) provides, in pertinent part: "(1) A person is guilty of the third degree felony of tampering with a witness if, believing that an official proceeding or investigation is pending ... he attempts to induce or otherwise cause another person to: (a) testify or inform falsely."

6. The State is investigating. It is currently unclear to the State whether the

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<sup>1</sup> The Summit County Sheriff's Office jail policies and procedures are Protected Records and related to security. Therefore, they are being filed as non-public.

Defendant passed this exact letter or its content to Lisa Darden or anyone else. Significantly, on the morning of September 13, 2023, on a video conference with Lisa Darden, the Defendant held up *yet another letter* for her mother to read silently to herself. That letter was not found inside the Defendant's cell. There is a strong inference that the September 13, 2023 letter was destroyed or flushed. The State's investigation into this matter shall be ongoing.

### ARGUMENT

It is well settled that an inmate does not have a reasonable expectation of privacy inside a correctional institution. *Hudson v. Palmer*, 468 U.S. 517 (1984). This applies to pretrial detainees. *E.g. State v. Telford*, 940 P.2d 522, 525 (Utah 1997). Further, a pretrial detainee's nonprivileged, outgoing mail is admissible in evidence. *Id.* In accordance with this well-settled law, the Summit County Sheriff's Office has internal policies and procedures about the conduct and frequency of searches inside the jail. These policies provide that evidence of criminal activity may be seized. *See* [Dkt. 213, Policy 514.12(6)]

Lisa Darden and Ronald Darden have been identified as witnesses in this proceeding both by the State and the defense. The letter indicates that Defendant has been soliciting and attempting to induce them to testify or inform falsely. *See* Utah Code §§ 76-8-508 (Witness Tampering).

The Court routinely orders the criminally accused not to contact victims and witnesses to protect witnesses from inappropriate influence and to protect the integrity of the judicial process. Such an order in this case would be no different. This Court possesses inherent authority to take such measures. *See also Chen v. Stewart*, 2005 UT 68, ¶¶ 35-45; 123 P.3d 416.

The Defendant's letter speaks for itself. It documents in the Defendant's own handwriting her attempt to induce her brother to testify falsely. The letter establishes that the Defendant trusts

that her brother will testify falsely and that her mother will facilitate his false testimony. "Tell [Ronald] I need him to do this." Moreover, it establishes that the Defendant is willing to witness tamper through a third party. That the Defendant hid the letter in a book, and showed another (now missing) letter to her mother over a video call further indicates that she understands the wrongfulness of its content and purpose.

To protect the integrity of this proceeding, it is imperative that the Defendant have no contact with Lisa Darden or Ronald Darden while this matter is pending. The Defendant's conduct in drafting and hiding the letter establishes her intent to witness tamper. Her reliance on Lisa Darden and Ronald Darden suggests their predisposition to tampering.

The State narrowly tailored the proposed order to include only Lisa Darden and Ronald Darden because the Defendant has displayed a particular trust in their willingness to undermine this proceeding. At this juncture, the State is not seeking a no contact order for all potential witnesses<sup>2</sup>. However, the State seeks a broad definition of contact as it pertains to Lisa Darden and Ronald Darden because of the Defendant's inclination to employ clandestine third-party contact.

### CONCLUSION

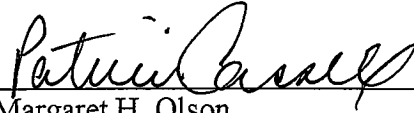
The State respectfully requests that the Court enter the proposed No Contact Order, efiled herewith.

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<sup>2</sup> The Letter also instructs Lisa Darden to tell the Defendant's friends what to say, but this appears to be referring to a "Good Morning America" interview defense counsel allegedly arranged. (*i.e.* "Please tell Chelsea to bring up . . ." "Tell Kelsey to say . . ." "Have Selma talk about . . ." "Have Ali talk about . . .")

Submitted this 15th day of September, 2023.

SUMMIT COUNTY ATTORNEY

A handwritten signature in cursive script, appearing to read "Patricia S. Cassell", is written over a horizontal line.

Margaret H. Olson

Patricia S. Cassell

Brad Bloodworth

Joseph S. Hill