



## **JUDICIAL INVESTIGATION COMMISSION**

WV Judicial Tower - Suite 700 A  
4700 MacCorkle Ave., SE  
Charleston, West Virginia 25304  
(304) 558-0169

September 16, 2025

Re: JIC Advisory Opinion 2025-13

Dear :

Your request for an advisory opinion to Counsel was recently reviewed by the Judicial Investigation Commission. Charlie Kirk was a political activist, author and media personality and was recognized as one of the most prominent voices of the MAGA movement. He was shot to death earlier this month while speaking at an event on a university campus. The alleged shooter is now in custody and has been charged with aggravated murder.

Memorial services have been held for the late Mr. Kirk all across the country and one has been scheduled by the \_\_\_\_\_ County Republican Executive Committee. You, along with many others, have been asked to speak at the event. You want to know if to do so would violate the Code of Judicial Conduct. You intend to limit your remarks to reading a verse or two of scripture about peace and saying a few lines about the importance of not resorting to any form of political violence. You will refrain from any comments concerning the suspect, the alleged assassination or Mr. Kirk's ideology or politics. You also will not advocate for or against any political party.

To address your questions, the Commission has reviewed Rule 2.10 (A) and (B) and 4.1(A)(2) of the Code of Judicial Conduct which state:

### **Rule 2.10 – Judicial Statements on Pending and Impending Cases**

- (A) A judge shall not make any public statement that might reasonably be expected to affect the outcome or impair the fairness of a matter

pending or impending in any court, or make any nonpublic statement that might substantially interfere with a fair trial or hearing.

- (B) A judge shall not, in connection with cases, controversies or issues that are likely to come before the court, make pledges, promises or commitments that are inconsistent with the impartial performance of the adjudicative duties of judicial office.

**Rule 4.1 – Political and Campaign Activities of Judges and Judicial Candidates In General**

- (A) Except as permitted by law, or by Rules 4.2, 4.3 and 4.4, a judge or a judicial candidate shall not:

...

- (2) make speeches on behalf of a political organization; . . .

Based upon the foregoing, the Commission is of the opinion that you may speak at the memorial as long as you limit your remarks to a verse or two from scripture about peace and that violence against anyone is never the answer. As you note, you must not discuss the alleged shooter or crime or Mr. Kirk's political or ideological beliefs. You also must not make any comments on behalf of any political organization.

The Commission hopes that this opinion fully addresses the issues which you have raised. Please do not hesitate to contact the Commission should you have any questions, comments or concerns.

Sincerely,



Alan D. Moats, Chairperson  
Judicial Investigation Commission