DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
OFFICE OF PROFESSIONAL RESPONSIBILITY

REPORT OF INVESTIGATION

Office of Professional Responsibility

IOD Headquarters

Case # UF2022586



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U.S. CUSTOMS AND BORDER PROTECTION
OFFICE OF PROFESSIONAL RESPONSIBILITY
INVESTIGATIVE OPERATIONS DIRECTORATE

CASE CLOSING REPORT

CASE NUMBER:	UF2022586	**FIELD OFFICE:**	IOD Headquarters
CASE AGENT:	SA [redacted]		
CASE TITLE:	Uvalde Texas School Shooting w/ Fatalities		
DATE OF INCIDENT:	May 24, 2022		
SECURITY CLEARANCE:			

INCIDENT

On May 24, 2022, U.S. Customs and Border Protection (CBP), Office of Professional Responsibility (OPR), Del Rio, Texas, received information concerning the CBP response to the shooting at Robb Elementary School in Uvalde, Texas, which included a use of force by CBP personnel. The shooting resulted in the deaths of 21 individuals and the injury of 17 others.

The purpose of this review is to examine the facts and circumstances surrounding this incident (including use of force by CBP personnel); evaluate whether all CBP personnel complied with relevant rules, regulations, and laws; and determine whether any actions can be taken to improve CBP's performance in similar situations in the future.

I affirm that my statements in this report are true and correct to the best of my knowledge and belief.

Prepared by:	[redacted] Digitally signed by [redacted] Date: 2024.04.23 16:54:07 -04'00'	Date:	
Reviewed by:	[redacted] Digitally signed by [redacted] Date: 2024.04.24 00:04:05 -04'00'	Date:	
Approved by:	DANIEL P ALTMAN Digitally signed by DANIEL P ALTMAN Date: 2024.04.26 09:34:52 -04'00'	Date:	

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EXECUTIVE SUMMARY

CBP OPR's Investigative Operations Directorate (IOD) conducts thorough, impartial, and timely investigations into CBP use of force incidents involving death or serious bodily injury and other critical incidents. This review sought to examine the facts and circumstances surrounding this incident (including use of force by CBP personnel); evaluate whether all personnel complied with relevant rules, regulations, and laws; and determine whether any actions could be taken to improve CBP's performance in similar situations in the future.

On May 24, 2022, at 11:33:02 AM (CDT), a lone assailant, [redacted], entered Robb Elementary School through an unsecured exterior side door. Upon entering the school, the assailant quickly moved down the hallway and pulled open one of the doors to adjoining Classrooms 111 and 112, both fourth-grade classrooms full of students and their teachers. An internal doorway connected Classroom 111 and Classroom 112. By entering through either classroom door, the assailant had access to both classrooms. Upon entering the classroom, the assailant began firing a semi-automatic rifle at the children and their teachers in both classrooms. Approximately 77 minutes after the assailant entered the classroom, CBP personnel consisting of Border Patrol Agents (BPAs) assigned to the Border Patrol Tactical Unit (BORTAC), along with state and local law enforcement officials, entered the classroom and, after an exchange of gunfire, shot and killed the assailant. By the time the incident at Robb Elementary was over, the assailant had killed 19 children and 2 teachers. An additional 16 students, teachers, and law enforcement officers were wounded.

A total of 188 CBP personnel, along with law enforcement officers from more than 20 other federal, state, and local agencies, responded or provided support during or following the incident. The incident created immense logistical and tactical challenges that severely tested the resources and capabilities of responding officers and agencies.

OPR reached the following conclusions based on this review:

- Involved CBP personnel at all levels had an inconsistent understanding of their authority to respond to non-federal incidents including active shooter situations. None of the responders whom OPR interviewed could cite a specific authority for being at Robb Elementary School on May 24, 2022.

- The failure of arriving law enforcement personnel to establish identifiable incident management or command and control protocols led to a disorganized response to the Robb Elementary School shooting. No law enforcement official ever clearly established command at the school during the incident, leading to delays, inaction, and potentially further loss of life.

- CBP personnel responding to the incident did not establish a command and control framework for their own responding personnel, which resulted in responders taking on tasks on an ad-hoc basis as requested by local law enforcement or at their own initiative.

- OPR determined existing CBP training on active shooter response procedures did not adequately prepare responding personnel to deal with this situation. The current training and curriculum did not include the proper application of National Incident Management System (NIMS) or Incident Command System (ICS) protocols and did not prepare them for a number of factors, including the need to address an active shooter behind a locked door.

- None of the first responders from state, local, or federal law enforcement agencies in a position to take action against the assailant had access to an accurate school layout or knew how to obtain the correct keys to gain access to critical areas of the school. Additionally, none of the first responders from law enforcement agencies had the necessary tools to adequately breach the outwardly opening metal doors to Classrooms 111 and 112. Only one CBP law enforcement officer who arrived on scene had access to a Halligan tool (used for forcibly opening a locked door).

- CBP personnel established a medical triage area in the hallway of the west building and provided lifesaving care for multiple victims. However, the overall chaotic response caused by the lack of command and control led to the breakdown of adherence to established medical protocols for a mass-casualty incident. This led to some victims with gunshot wounds being inadvertently placed on a school bus without receiving immediate medical treatment.

- In the immediate aftermath of this incident, numerous investigative agencies, including the Texas Rangers and the Federal Bureau of Investigation (FBI), began to independently interview personnel and recover evidence, leading to fragmented crime scene processing and evidence collection. Text messages and other records from cellular devices used by CBP personnel during the incident were not obtained until OPR identified this deficiency and collected most of these materials months following the incident. Coordination with other investigative entities could prevent this oversight in the future.

- CBP lacked procedures for establishing a centralized point from which to disseminate all information pertaining to the incident. A centralized point of dissemination would have helped to ensure accurate and timely distribution of information while preserving the integrity of ongoing investigations.

OPR made the following recommendations based on its review:

- CBP must ensure its officers, agents, and managers understand and properly work within the confines of their authority. To the extent CBP intends for its personnel to continue to respond to mass violence incidents in a non-federal setting, policy or law must be generated to ensure they have proper authority to do so.

- All CBP personnel tasked with responding to incidents such as the one at Robb Elementary School should be familiar with NIMS or ICS protocols. CBP should make NIMS or ICS protocols a facet of CBP's response protocols.

- CBP's active shooter training and doctrine should be revised to align with continuously emerging best practices, including lessons learned from this incident. Once the training is revised, all first responders within CBP should receive comprehensive training and the tools necessary to deal with the management of and response to active shooter events.

- CBP should establish procedures for following medical best practices during critical events and ensure that all CBP personnel are trained to properly assess people requiring medical care, especially because CBP personnel might arrive on scene before emergency medical technicians (EMTs) and paramedics.

- Responding to critical incidents can overwhelm both an organization's and individuals' ability to cope. The mental health needs of first responders must be addressed through comprehensive and universally established protocols. CBP should continue to invest in best practices for responding to critical incidents of all types, including mass violence events, focusing on the healing involved.

SUMMARY OF SCOPE AND METHODOLOGIES

CBP OPR self-initiated this review immediately after receiving notification of a use of force incident involving CBP personnel at Robb Elementary School in Uvalde, Texas, on May 24, 2022. In accordance with Department of Homeland Security (DHS) policy, OPR notified the DHS Office of Inspector General (OIG) about this incident on May 24, 2022.[1] DHS OIG ultimately declined interest in the matter.

This investigative report focuses on OPR's review of the events of May 24, 2022, and aims to provide transparency and accountability. The report contains additional specific information about the actions taken by CBP personnel and describes the actions of CBP personnel and applicable CBP policies and procedures.

In furtherance of this review, OPR assembled a team of investigative, operational, technical, analytical, and legal experts. In total, 62 OPR investigators, analysts, and other personnel contributed to this review and investigative report. Using the material obtained from various sources, OPR analyzed and synthesized the information to develop an investigative plan. This process formed the basis for formulating an interview strategy and culminated with the development of a consolidated timeline of events from dozens of sources, including radio communications, body worn cameras (BWC), static cameras, and interviews. From May 2022 until September 2023, the investigative team reviewed available video evidence, interviewed CBP personnel, examined publicly available materials, researched commonly accepted practices for critical incident planning, preparation, and training, and analyzed other findings from prior active shooter events.[2] OPR's investigative process included obtaining records, videos, and other evidence from the FBI, Texas Department of Public Safety (TXDPS) Ranger Division, and other law enforcement agencies.[3] In reaching the findings contained in this report, OPR carefully considered the overall circumstances under which the incident took place.

OPR investigators who interviewed those who went inside Robb Elementary School completed specialized interview training focused on trauma-informed cognitive interview techniques. In March 2023, during the interview process, representatives from the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS) observed select interviews of CBP personnel.

As OPR conducted its investigation, other federal, state, and local law enforcement agencies conducted their own investigations into this incident. The FBI coordinated with the United

[1] Notification regarding certain incidents, including the discharge of firearms in deadly force situations, is required by DHS Management Directive 0810.1 (June 10, 2004).
[2] Texas House of Representatives Investigative Committee on the Robb Elementary Shooting, Interim Report 2022; ALERRT, Robb Elementary School Attack Response Assessment and Recommendations, June 2022; U.S. Department of Justice, Office of Community Oriented Policing Services, Rescue, Response, and Resilience: A Critical Incident Review of the Orlando Public Safety Response to the Attack on the Pulse Nightclub, 2017; U.S. Department of Justice, Office of Community Oriented Policing Services, Critical Incident Review: Active Shooter at Robb Elementary School, 2024.
[3] CBP began a targeted deployment of BWC technology in August 2021 as part of its Incident-Driven Video Recording Systems Program. Although 7,000 BWCs had been issued to CBP employees nationwide as of May 23, 2023, only one CBP BWC was present and activated at Robb Elementary School on May 24, 2022.

States Attorney's Office for the Western District of Texas throughout its investigation; however, the United States Attorney's Office did not seek to open a criminal case into the use of force by federal agents.

On January 18, 2024, DOJ COPS released the findings of its critical incident review in a report titled, "Critical Incident Review: Active Shooter at Robb Elementary School." On March 7, 2024, the City of Uvalde released the findings of its internal investigation into the Uvalde Police Department. Because of the differences in scope and materials relied upon in each inquiry, the DOJ COPS's and City of Uvalde's reports vary in comprehensiveness and specificity.

INTERVIEWS OF CBP PERSONNEL

The formal process to interview all CBP personnel who responded to the incident and other CBP personnel who supported them on that day commenced in February 2023 and concluded in August 2023. OPR conducted a total of 193 interviews of CBP employees, including BPAs, Customs and Border Protection Officers (CBPOs), Air and Marine Agents, and other CBP personnel, including those responsible for training. In addition to the 188 personnel who responded to or supported the response to the incident at Robb Elementary School, OPR interviewed two CBP subject matter experts in the fields of NIMS/ICS protocols and active shooter training and three CBP employees who did not participate in the incident or its response but were mentioned as potentially being a part of the incident response. OPR's interview strategy identified the individual level of involvement of CBP personnel and grouped them into categories based on if and when they arrived at Robb Elementary School and the actions they took on that day. Below is a breakdown of the distribution of categories:

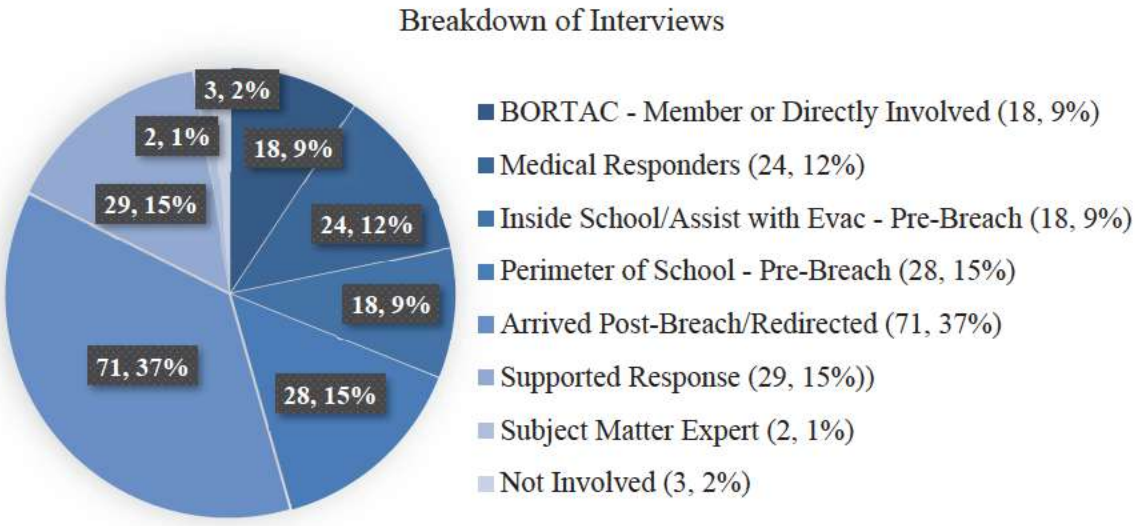


Figure 1. Breakdown of Interviews

For a summary of the interviews of the CBP personnel who responded to the incident and other CBP personnel who supported them, see Appendix I.

LIMITATIONS

In an effort to better understand the events of May 24, 2022, CBP requested to interview the following key personnel; however, each of these individuals declined OPR's interview requests:

- Uvalde Consolidated Independent School District Police Department (UCISDPD) Chief Pedro "Pete" Arredondo
- Uvalde County Sheriff Ruben Nolasco
- TXDPS Ranger [redacted]
- Uvalde Police Department (UPD) Acting Chief Mariano Pargas
- UPD Lieutenant [redacted]
- Uvalde County Precinct 1 Constable Johnny Field
- UPD Staff Sergeant [redacted]
- UPD Sergeant [redacted]
- Zavala County Sheriff's Office (ZCSO) Deputy [redacted]

OPR did not interview any law enforcement officers from any federal, state, or local agencies outside of CBP as part of this review. Although OPR was unable to interview personnel from other law enforcement agencies, the scope of OPR's review included primary source documents and hundreds of hours of video and interviews of involved personnel. OPR reviewed the real-time actions of law enforcement personnel captured by dozens of body worn cameras and reviewed and analyzed written summaries and videos of interviews of those personnel by the FBI and TXDPS Ranger Division. Summaries of those interviews may be included in further reports issued by TXDPS.[4] Additionally, OPR requested, but was unable to obtain, finalized autopsy reports of the deceased.

As part of the investigative process, OPR examined and evaluated previously published reports on this incident. Specifically, OPR assessed the "Robb Elementary School Attack Response Assessment and Recommendations" published by Advanced Law Enforcement Rapid Response Training (ALERRT). That report was issued shortly after the incident and contained limited information "based on an incident briefing…held for approximately 1 hour."[5]

OPR also reviewed the report from the Texas House of Representatives Investigative Committee on the Robb Elementary Shooting. The Committee held a series of closed-door hearings on this incident and OPR sought copies of the videos of those hearings to review primary source data and testimonial evidence. Citing parliamentary privilege, the Committee declined to provide OPR access to the video testimony. Consequently, OPR relied on the Committee's final report and direct quotes of individuals extracted from the report to provide insight into the actions and

[4] Records belonging to third-party agencies can only be released by the owning agency.
[5] ALERRT, Robb Elementary School Attack Response Assessment and Recommendations, June 2022, p. 1.

perspectives of non-CBP personnel who were on scene but declined to be interviewed by OPR as part of this review.[6]

OVERVIEW OF AREA

Positioned in south Texas between San Antonio, Texas, and the United States/Mexico border, the city of Uvalde has a population of over 15,000 people.[7] Uvalde regularly sees USBP personnel engage in federal border enforcement operations in and around the city. Because of its proximity to US-83, a major throughfare in Uvalde, border enforcement-related operations by USBP, TXDPS, and other agencies reportedly led to Uvalde school lockdowns in the past. From January 1, 2020, to May 24, 2022, there were four documented instances of bailouts within a one-mile radius of Robb Elementary School.[8]

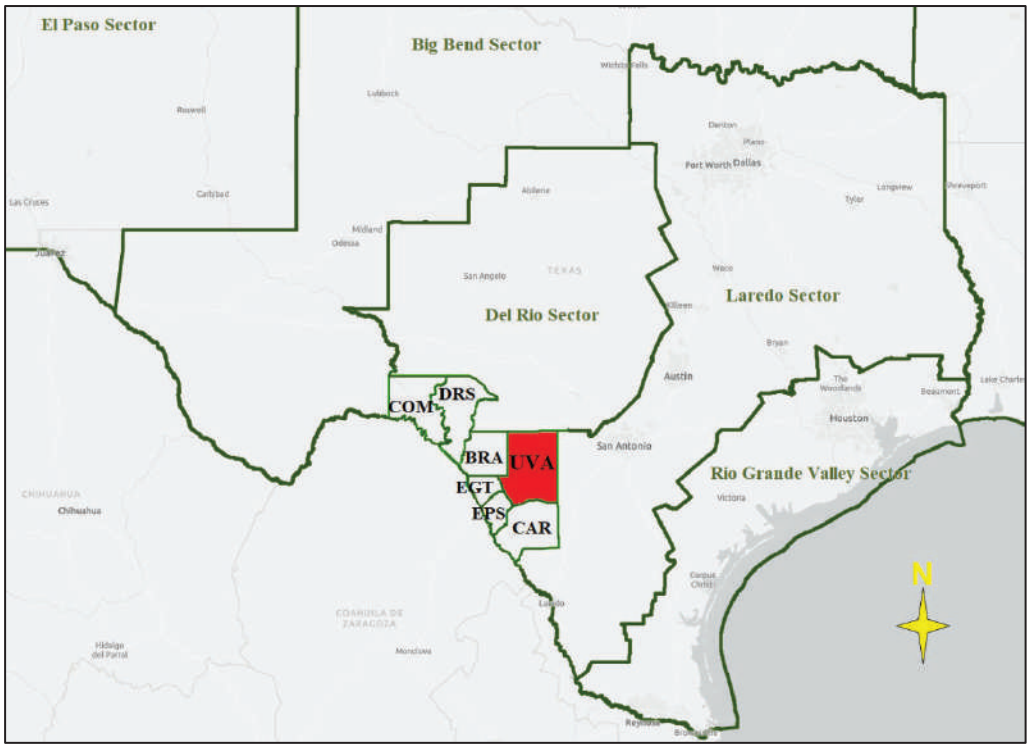
Uvalde is in the U.S. Border Patrol (USBP) Del Rio Sector (DRT) area of responsibility. Within DRT, there are two specialty units that are assigned directly to DRT's Special Operations Division (SOD) – BORTAC and the Border Patrol Search, Trauma, and Rescue Unit (BORSTAR). BORTAC provides an immediate response capability to emergent and high-risk incidents requiring specialized skills and tactics, similar to a traditional SWAT team. BORSTAR provides specialized law enforcement search and rescue response capabilities, including emergency and tactical medicine. Both units are based in Del Rio, Texas, approximately 70 miles from Uvalde, though CBP personnel may live or work throughout the area.

CBP is a major part of the Uvalde community. In addition to the agents assigned to the USBP Uvalde Station (UVA), many CBP families from across DRT call the city home. Children and grandchildren of CBP personnel were attending school at Robb Elementary School on May 24, 2022, while children enrolled in other area schools were already done with school for the year.[9] One CBP employee recalled how one of the victims he encountered at Robb Elementary School was friends with [redacted] and had been at his house playing just days prior to the incident.[10] The incident at Robb Elementary School was more than just another law enforcement operation for the CBP personnel who responded – many had a direct, personal connection to the community.

[6] OPR adheres to the Council of the Inspectors General on Integrity and Efficiency (CIGIE) Quality Standards for Investigations to provide a framework for conducting high-quality investigations. The standards call for "the validity of information and evidence obtained during an investigation" to be verified.
[7] U.S. Census Bureau, 2020 Census (April 1, 2020)
[8] "Bailouts" are instances where suspects pursued by law enforcement in a vehicle and evade apprehension by exiting the vehicle and fleeing on foot. Data retrieved from CBP data systems and may not include enforcement actions carried out by other agencies.
[9] OPR interview of SBPA [redacted], February 14, 2023, timestamp 00:16:55; OPR interview of BPA [redacted], March 2, 2023, timestamp 00:12:51; OPR interview of SBPA [redacted], March 16, 2022, timestamp 00:41:18.
[10] OPR interview of BPA [redacted], dated March 6, 2023, timestamp 05:46:36

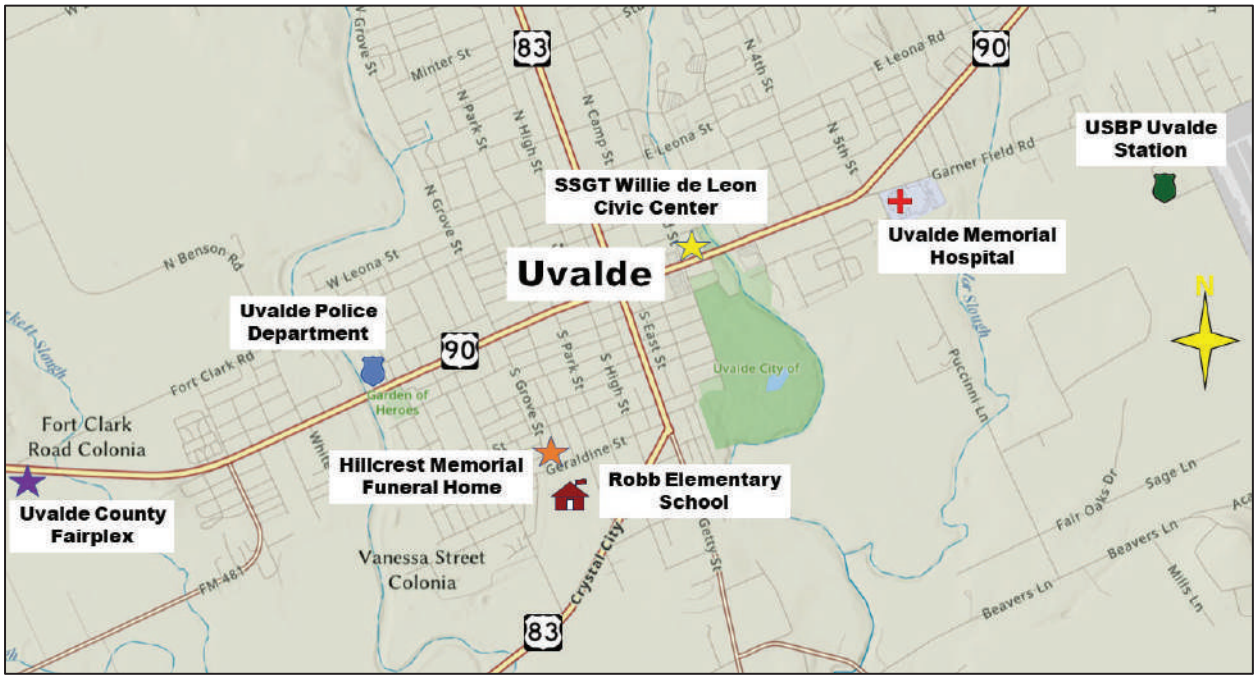
On May 24, 2022, approximately [redacted] CBP personnel were assigned to DRT, with [redacted] scheduled to work on that day as follows:

- USBP Del Rio Sector (DRT) Staff: [redacted]
- DRT Sector Intelligence Unit (SIU):
- DRT Special Operations Division (SOD):
  - DRT BORTAC:
  - DRT BORSTAR:
  - DRT SOD Detailed In:
  - DRT SOD Staff:
- USBP Abilene Station (ABT): [redacted]
- USBP Brackettville Station (BRA):
- USBP Carrizo Springs Station (CAR):
- USBP Comstock Station (COM):
- USBP Del Rio Station (DRS):
- USBP Eagle Pass Station (EGT):
- USBP Eagle Pass South Station (EGS):
- USBP Rocksprings Station (RKS):
- USBP San Angelo Station (SAT):
- USBP Uvalde Station (UVA):



Map Source: USBP GIS

Figure 2. USBP Sectors and select USBP Stations



Map Source: USBP GIS

Figure 3. Uvalde – Points of Interest

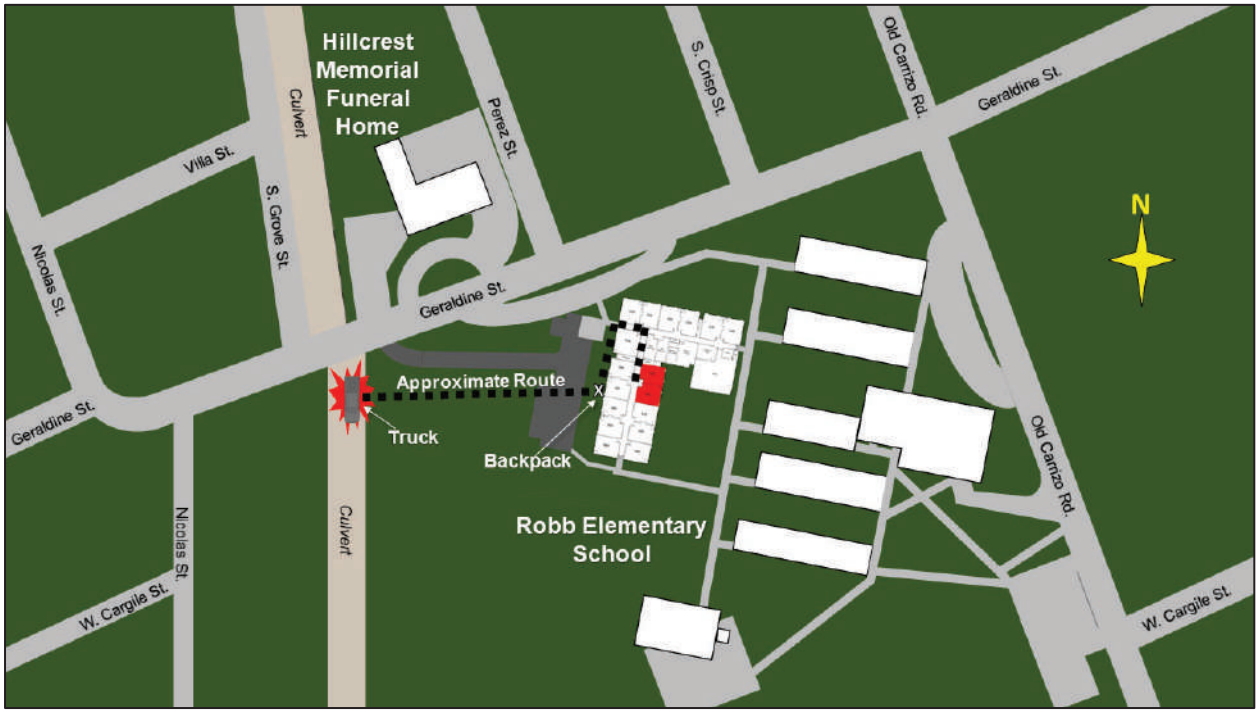


Figure 4. Area around Robb Elementary School



Figure 5. Layout of West Building at Robb Elementary School

TIMELINE OF EVENTS – MAY 24, 2022

OPR created the following timeline of events based on information, documents, and video provided by the TXDPS, FBI, CBP, and employee interviews. All times are Central Daylight Time.

This timeline is intended to be an overview of the chronology of events. Additional information supporting this timeline is contained in the *Incident Overview* section.

TIME	DESCRIPTION
11:28:25 AM	The assailant crashed his truck into a culvert at the intersection of Grove and Geraldine Streets.
11:31:36 AM	The assailant fired multiple shots outside Robb Elementary School toward windows on the west side of the school.
11:33:02 AM	The assailant entered Robb Elementary School through the west entrance.
11:33:24 AM	The assailant began firing at the doors of Classrooms 111 and 112, then entered the classrooms and continued firing.
11:36:02 AM	Law enforcement officers from the UPD and UCISDPD entered Robb Elementary School through the west entrance.
11:36:10 AM	UPD Acting Chief Pargas entered Robb Elementary School through the west entrance.
11:36:11 AM	UCISDPD Chief Arredondo entered Robb Elementary School through the south entrance and approached Classrooms 111 and 112 from the opposite side of the building as the law enforcement officers who entered through the west entrance.

TIME	DESCRIPTION
11:37:03 AM	The assailant shot through the metal doors of Classrooms 111 and 112 as law enforcement officers approached, striking two officers with shrapnel. The law enforcement officers withdrew from their position near the doors of Classrooms 111 and 112 to a nearby position at the north end of the hallway, approximately 70 feet from the doors of Classrooms 111 and 112. UCISDPD Chief Arredondo and other officers took a position at the south end of the hallway opposite the law enforcement officers, approximately 30 feet from the doors of Classrooms 111 and 112. The assailant stopped shooting.
11:38:35 AM	The first CBP employee, Border Patrol Agent – Intelligence (BPA-I) [redacted], USBP DRT, Sector Intelligence Unit (SIU), entered Robb Elementary School through the west entrance.
11:40:00 AM (approx.)	Aviation Interdiction Agent (AIA) [redacted], flying a CBP helicopter near Eagle Pass, TX, learned of a "possible shooting" in Uvalde and began to fly in that direction.
11:44:02 AM	The assailant fired a single shot.
11:51:15 AM	Additional CBP employees, BPA [redacted] (UVA), BPA [redacted] (UVA), and BPA [redacted] (UVA), entered Robb Elementary School through the west entrance.
11:52:15 AM	At the west entrance, an unknown law enforcement officer handed BPA [redacted] (UVA) a ballistic shield with the word "SHERIFF" on it. The shield was not rifle rated.
11:56:54 AM	In the hallway near the west entrance, UCISDPD Officer [redacted] told Precinct 1 Constable Johnny Field that his [Officer [redacted]'s] wife was in Classroom 112 and had been shot.

TIME	DESCRIPTION
11:58:33 AM	Classroom evacuations began. Law enforcement officers, including BPAs [redacted] (UVA), [redacted] (CAR), [redacted] (UVA), [redacted] (UVA), [redacted] (Marfa Station (MRS)), [redacted] (UVA), [redacted] (UVA), [redacted] (UVA), [redacted] (UVA), [redacted] (UVA); BPA-I [redacted] (DRT SIU); SBPA [redacted] (UVA); and Special Operations Supervisor (SOS) [redacted] (UVA), evacuated nine classrooms in the west building through doors and windows.
12:00:00 PM (approx.)	AIA [redacted], flying a CBP helicopter, arrived in the air above Robb Elementary School.
12:03:59 PM	UPD Officer [redacted] entered Robb Elementary School through the west entrance carrying a ballistic shield with the word "POLICE" on it and handed it to BPA [redacted]. The shield was not rifle rated.
12:04:48 PM	UPD Officer [redacted] entered Robb Elementary School through the west entrance with another ballistic shield with the word "POLICE" on it and handed it to BPA [redacted]. The shield was not rifle rated.
12:05:00 PM (approx.)	Uvalde County Sheriff Ruben Nolasco arrived at Robb Elementary School.
12:05:00 PM	Acting Patrol Agent in Charge ((A)PAIC) [redacted] (UVA) arrived at Robb Elementary School.
12:08:35 PM	UCISDPD Chief Arredondo, standing in the south hallway, asked UPD Investigator [redacted], standing outside the south entrance, to get a master key to the classrooms from a school official.
12:09:08 PM	UCISDPD Chief Arredondo, standing in the south hallway, said, "As soon as I clear this room, I'm gonna verify what's been vacated guys before we do any kind of breaching but time is on our side right now."
12:11:45 PM	UPD Officer [redacted] was seen standing outside the south hallway holding a red lanyard with multiple keys, later determined to be the incorrect keys to the classrooms.

TIME	DESCRIPTION
12:12:52 PM	UPD Acting Chief Pargas stood next to UPD Detective [redacted] outside the west building as radio traffic stated, "Child is advising he is in a room full of victims. Full of victims at this moment." UPD Acting Chief Pargas took UPD Detective [redacted]'s radio and walked through the west entrance.
12:13:12 PM	Supervisory Border Patrol Agent (SBPA) [redacted] (DRT SOD), Acting BORTAC Commander, entered Robb Elementary School through the west entrance.
12:13:58 PM	UPD Officer [redacted] entered Robb Elementary School through the west entrance with a box of 2-chlorobenzalmalononitrile (CS) gas.
12:15:50 PM	Uvalde County Precinct 6 Constable Emmanuel Zamora took the keys with the red lanyard from UPD Officer [redacted] outside the west entrance. UCISDPD Lieutenant [redacted] took some of the keys from the red lanyard and gave them to Constable Zamora, identifying them as likely master keys. None of the keys unlocked the classroom doors.
12:16:24 PM	UPD Officer [redacted] was seen inside Robb Elementary School near the south entrance holding a non-rifle rated ballistic shield with the word "POLICE" on it. This shield came from the west entrance.
12:16:47 PM	Upon hearing from TXDPS Sergeant [redacted] that a BORTAC team was possibly about to "go in" to Classrooms 111 and 112, UCISDPD Chief Arredondo said, "Tell them to fucking wait…no one comes in," as he tried to enter Classroom 109 to ensure it was empty.
12:18:23 PM	BPA [redacted] (UVA), a USBP EMT, entered Robb Elementary School through the west entrance.
12:18:57 PM	TXDPS Ranger [redacted] encountered SBPA [redacted] near the T-intersection
12:19:35 PM	SBPA [redacted], while on the phone with an unknown person, discussed the status of the doors to Classroom 111 and 112 with UPD Staff Sergeant [redacted].

TIME	DESCRIPTION
12:20:55 PM	An unidentified Deputy U.S. Marshal entered Robb Elementary School through the west entrance carrying a rifle-rated ballistic shield with the words "U.S. MARSHAL" on it.
12:21:05 PM	The assailant fired four shots from inside the classroom. A group of approximately 17 law enforcement officers positioned at the north end of the hallway, including BPA [redacted], SBPA [redacted], BPA [redacted], BPA [redacted], an unidentified BPA wearing a gas mask, BPA [redacted], and BPA [redacted], advanced toward the doors of Classrooms 111 and 112, but took no further action.
12:23:09 PM	UPD Lieutenant [redacted] transmitted over the radio that the SSgt. Willie de Leon Civic Center would be the reunification point.
12:23:28 PM	BORSTAR Paramedics BPA [redacted] and SBPA [redacted] entered Robb Elementary School through the west entrance.
12:24:25 PM	BPA [redacted] and SBPA [redacted] began setting up a medical triage area near the restrooms at the north end of the west building.
12:24:43 PM	SBPA [redacted] attempted to open a locked janitor's closet with a set of keys, but the keys did not work on the locked door.
12:24:51 PM	"Hot Mic" (a situation where someone unknowingly activates the microphone on their radio, thereby disabling others' ability to communicate) began intermittently hindering radio communications.
12:26:08 PM	BPA [redacted] climbed through the window of Classroom 109 to assist with evacuating teacher [redacted], who was shot in the abdomen. [redacted] was the last student or teacher in the west building besides those in Classrooms 111 and 112.
12:26:22 PM	Classroom evacuations completed.
12:26:29 PM	UCISDPD Chief Arredondo, standing in the south hallway speaking to an unknown person on the phone, said, "People are going to ask why we are taking so long, OK? So that's what we're trying to preserve the rest of the lives first."

TIME	DESCRIPTION
12:26:59 PM	SBPA [redacted] discussed with UPD Officers [redacted] and [redacted] the possibility of Classrooms 111 and 112 being connected. During the conversation, Texas Parks and Wildlife Department (TPWD) Game Warden [redacted] brought a rough map of the building, which showed that the classrooms were not connected.
12:28:39 PM	Sheriff Nolasco entered Robb Elementary School through the west entrance and told law enforcement officers that only one person in the building should be communicating.
12:30:16 PM	An unidentified Deputy U.S. Marshal entered Robb Elementary School through the south entrance carrying a rifle-rated ballistic shield with the word "POLICE" on it.
12:30:31 PM	TXDPS Sergeant [redacted], who was assisting [redacted] (the teacher from Classroom 109 who was wounded), contacted TXDPS dispatch and said she did not see any EMS on scene.
12:32:27 PM	UPD Officer [redacted] entered Robb Elementary School through the west entrance and told law enforcement officers that vehicles were blocking the roadway for ambulances to arrive. Law enforcement officers gave UPD Officer [redacted] their car keys to have him move their vehicles.
12:33:08 PM	"Hot Mic" situation resolved, allowing unimpeded radio communications to resume.
12:32:32 PM	SBPA [redacted] exited Robb Elementary School to retrieve a Halligan tool from his vehicle.
12:35:00 PM (approx.)	CBP AIA [redacted] (AMO Del Rio, Texas) and AIA [redacted] (AMO Del Rio, Texas), both part of the Air Crew Rifle Program, met at the Uvalde County Fairplex and traveled to the airspace above Robb Elementary School via helicopter.
12:35:44 PM	SBPA [redacted] reentered Robb Elementary School through the west entrance, carrying a Halligan tool.

TIME	DESCRIPTION
12:36:16 PM	TXDPS Ranger [redacted] handed SBPA [redacted] the correct master key for the classrooms.
12:36:57 PM	SBPA [redacted] successfully tested the master key on the door to Classrooms 131 and 132.
12:37:08 PM	BPAs [redacted] (DRT SOD) and [redacted] (DRT SOD), the second and third BORTAC operators to arrive, entered the west building of Robb Elementary School.
12:38:22 PM	BPA [redacted], a BORTAC sniper, exited the east entrance to find a vantage point that would allow him to see into Classrooms 111 and 112.
12:43:05 PM	An unidentified Deputy U.S. Marshal entered Robb Elementary School though the west entrance, carrying a rifle-rated ballistic shield with the words "U.S. MARSHAL" on it.
12:46:49 PM	Law enforcement officers in the north end of the hallway near Classrooms 111 and 112 formed into lines in preparation to make entry.
12:47:03 PM	BPA [redacted] (DRT SOD) entered Robb Elementary School through the west entrance.
12:49:09 PM	SBPA [redacted] and BPA [redacted] opened the door to Classroom 111 and visually assessed the classroom.
12:50:02 PM	SBPA [redacted] gave indication for the team to enter Classroom 111. SBPA [redacted], BPA [redacted], BORSTAR BPA [redacted] (DRT SOD), and ZCSO Deputy [redacted] entered the classroom and were shot at by the assailant. BPA [redacted], who was in the hallway outside Classroom 111 waiting to enter the classroom, was struck by gunfire or shrapnel. SBPA [redacted], BPAs [redacted] and [redacted], and ZCSO Deputy [redacted] returned fire, killing the assailant.
12:50:08 PM	Shooting stopped, medics began to triage and evaluate victims inside Classrooms 111 and 112.

TIME	DESCRIPTION
12:52:52 PM	[redacted], the final victim initially removed from the classrooms, was carried out of Classroom 112 and taken outside the west entrance for treatment.
2:00:00 PM (approx.)	A possible second threat against other Uvalde-area schools was identified. Law enforcement officers were sent to area schools to assist with the safe, orderly dismissal of students.
5:00:00 PM (approx.)	Uvalde-area schools completely dismissed.

INCIDENT OVERVIEW

This report is divided into six sections that correspond with six distinct segments of activity that comprise the shooting at Robb Elementary School. The first section, *Preliminary Events*, describes the events that preceded the shooting. This report focuses on the actions and events after the shooting because CBP personnel were not involved in any related actions prior to responding to the school. The second section, *Phase I: 11:33 AM – 12:21 PM*, focuses on the actions and events between the time the assailant entered Robb Elementary School and the time the assailant fired four gunshots from inside the classrooms. The third section, *Phase II: 12:21 PM – 12:50 PM,* details the events that occurred between the time the assailant fired the four gunshots and the time the group of law enforcement officers engaged the assailant.

Because the assailant fired rounds through the classroom door and injured some of the first responding law enforcement officers, responding personnel avoided the area immediately in front of the classroom doors. Consequently, the actions of the personnel north of the classrooms were not well coordinated or communicated with the responding personnel in the same hallway south of the classrooms. To provide clarity, *Phase I: 11:33 AM – 12:21 PM* and *Phase II: 12:21 PM – 12:50 PM* are split between the two groups of law enforcement officers at the north and south ends of the hallway. The sections describe each group's actions separately.

The fourth section, *Phase III: Rendering Aid*, describes the actions taken to triage and treat the victims following the breach of Classrooms 111 and 112. The fifth section, *Phase IV: Post Incident Response,* details the potential of a second threat and the law enforcement response at Uvalde-area schools and other points of interest including the Civic Center and hospital. Finally, the sixth section, *Air and Marine Operations Activities*, details the actions related to the three CBP helicopters involved in the incident.

Based on OPR's review of the information available, the following is a summary of what occurred:

PRELIMINARY EVENTS

The incident at Robb Elementary School began at **11:28:25 AM** when the assailant approached the intersection of Grove and Geraldine Streets at the northwest boundary of the school property and crashed the truck he was driving into a culvert.[11] Two employees from the Hillcrest Memorial Funeral Home, located at the same intersection, saw the crash and approached the vehicle to render aid; however, they were met with gunfire from the assailant (**11:29:28 AM**). Both individuals were able to safely retreat. Video from the funeral home showed the assailant emerge from the culvert and toss a dark-colored backpack over the chain link fence at the outer edge of the schoolgrounds and then climb over the fence and walk toward the school (**11:30:14 AM**).[12] As the assailant approached the west side of the western-most building, he began firing

[11] Video footage captured by static camera located at Hillcrest Memorial Funeral Home, May 24, 2022.
[12] *Id.*

at the exterior of the school. The assailant left the dark-colored backpack on the ground on the west side of the school.

The campus of Robb Elementary School is located at the intersection of Old Carrizo Road and Geraldine Street in Uvalde, Texas, and consists of several buildings connected by a series of covered walkways. The fourth-grade classes were in the western-most building (adjacent to Geraldine Street), along with the school's library. The western-most building has three metal doors leading to the outside: one located on the west side of the building, one located at the opposite end of the hallway on the east side of the building, and one located on the south side of the building. Each classroom has an outward opening metal door that opens into a hall. According to school policy, the doors are supposed to always remain locked. A camera was mounted to the ceiling at the T-intersection of the east/west and north/south hallways.

OPR obtained the video from the camera at the T-intersection from the FBI approximately one week following the incident. Although the audio throughout much of the video is inaudible, the video showed [redacted], the teacher from Classroom 132 (closest to the entrance where the assailant entered), exit the school at the time of the crash and then immediately reenter the school, closing the door behind her, while placing a phone call reporting the car crash and the gunshots fired (**11:29:40 AM**). [redacted] then moved back and forth in the main hallway closest to the door where the assailant would enter, warning the teacher in Classroom 116 (which is also adjacent to the entrance) and screaming, "He's shooting!" (**11:31:40 AM**).[13] According to [redacted]'s interview with TXDPS investigators, she exited the building with her cell phone to call 911 regarding the vehicle crash.[14] As she moved toward the crash, she observed other witnesses begin to retreat toward the funeral home yelling that the driver had a gun.[15] She then observed that the driver of the vehicle had a gun and was advancing toward the school. She saw the driver fire shots in the direction of children who were on the playground at the south end of the building. Multiple interviews by TXPDS investigators and footage from the static camera substantiated [redacted]'s account.[16]

PHASE I: 11:33 AM – 12:21 PM

The assailant entered Robb Elementary School by pulling open the door at the west end of the western-most building at **11:33:02 AM**. Visible in the assailant's hands as he entered the school was an AR-style rifle. The assailant walked inside the building and turned right down the north/south hallway, stopping at the doors of Classrooms 111 and 112, which are recessed in the hallway next to each other. Twenty-two seconds after entering the building, while facing the doors of Classrooms 111 and 112, the assailant began firing dozens of rounds. The assailant

[13] Video footage captured by static camera located in Robb Elementary School, May 24, 2022.
[14] TXDPS interview of [redacted], May 27, 2022.
[15] *Id.*
[16] TXDPS interview of [redacted], June 3, 2022; TXDPS interview of [redacted], June 11, 2022; Video footage captured by static camera located in Robb Elementary School, May 24, 2022.

stepped in and out of the classrooms, firing at, from, and within the classrooms, for the next 2 minutes and 39 seconds.[17]

North End of Building (11:33 AM – 12:21 PM)

The first law enforcement officers to respond included UPD Lieutenant [redacted], UPD Staff Sergeant [redacted], UPD Officer [redacted], and UPD Officer [redacted]. The four officers entered the building through the same door as the assailant on the west end of the building at **11:36:00 AM** and approached Classrooms 111 and 112. At **11:36:10 AM**, UPD Acting Chief Pargas entered the building through door at the west end of the building. The static camera inside the school showed the initial team of law enforcement officers reacting to and moving toward the assailant's gunfire near Classrooms 111 and 112. At nearly the same time, the static camera inside the school and UPD Staff Sergeant [redacted]'s BWC showed UCISDPD Chief Arredondo, UCISDPD Officer [redacted], UPD Investigator [redacted], and UPD Sergeant [redacted] approach Classrooms 111 and 112 from the south end of the hallway while communicating with UPD Lieutenant [redacted] and UPD Staff Sergeant [redacted].[18] As UPD Lieutenant [redacted] and UPD Staff Sergeant [redacted] approached the doors to Classrooms 111 and 112, the assailant, from inside one of the classrooms, shot toward the door of Classroom 111. The assailant's shots turned fragments of the metal door into projectiles, injuring both officers and causing all law enforcement officers on site to withdraw from their positions and abandon efforts to breach the classroom door. From this point forward, the police presence within the west wing of the school was split between personnel at the T-intersection at the north end of the hallway and personnel staged in the entranceways along the hallway south of Classrooms 111 and 112, with approximately 95 feet separating the two groups.

The first CBP law enforcement officer to arrive (BPA-I [redacted], DRT SIU) entered Robb Elementary School at **11:38:35 AM** through the door at the west end of the building while the assailant was still intermittently firing gunshots. Immediately upon entering the building, BPA-I [redacted] took cover just inside the west door.[19] At least six other law enforcement officers were inside the building when BPA-I [redacted] arrived.[20] BPA-I [redacted] stated he received information about the assailant's location inside in the building from UPD Lieutenant [redacted], who had approached the door of Classroom 111 and was struck by shrapnel prior to BPA-I [redacted]'s arrival.

For the next nine minutes, additional law enforcement officers from state and local agencies arrived and entered the building, all taking defensive positions at the north end of the building in the T-intersection. BPA-I [redacted] exited the building at **11:47:41 AM** and went toward the south entrance with UPD Officer [redacted] and Uvalde County Sheriff's Office (UCSO) Deputies [redacted] and [redacted], where they met UPD Sergeant [redacted] at **11:48:32 AM**. No other CBP personnel were in the school until **11:51:15 AM** when BPAs [redacted]

[17] Based on OPR's review of all available video footage, it cannot be determined definitively which classroom door the assailant entered.
[18] The actions of law enforcement officers at the south end of the hallway will be discussed in later portions of this report.
[19] OPR interview of SA [redacted], March 18, 2023, timestamp 00:36:22.
[20] *Id.*

[redacted] (UVA), [redacted] (UVA), and [redacted] (UVA), entered through the west door.

Several minutes passed as multiple law enforcement officers from various agencies, including CBP, entered the school. UCISDPD Officer [redacted] entered the building through the west door at **11:56:54 AM** and was stopped by Uvalde County Precinct 1 Constable Johnny Field. UCISDPD Officer [redacted] told Constable Field in front of BPAs [redacted], and [redacted] while motioning toward Classroom 112, "She says she's shot, Johnny."[21] UCISDPD Officer [redacted] was referring to his wife, [redacted], who was a teacher inside Classroom 112.[22]

Between **11:58:33 AM** and **12:26:22 PM**, law enforcement officers, including CBP personnel, evacuated students and teachers from some of the classrooms in the building.[23] Individuals in Classrooms 116 and 108 evacuated through the classroom door, with law enforcement officers providing cover while the occupants fled. Individuals from Classrooms 102, 103, 104, 105, 106, and 109 evacuated by climbing out windows to safety. Classroom 110 was already empty because the class was out on the playground. Dozens of law enforcement officers, including BPAs [redacted]; BPA-I [redacted]; SBPA [redacted]; and SOS [redacted] opened locked and obstructed windows and led students and teachers to safety. Classroom 109 (closest to the assailant's location) was the last to be cleared. During the evacuation of Classroom 109, BPA [redacted] observed that a teacher was shot in the classroom and was unable to move herself. BPA [redacted] climbed through the window into the classroom and lifted the injured teacher through the window to safety.[24] The average time for classroom evacuations was 56.25 seconds per classroom. The following table details the evacuations of Classrooms 102–106, 108–109, and 116:

[21] BWC footage from UPD Officer [redacted].
[22] TXDPS interview of UCISD Lieutenant [redacted], May 25, 2022.
[23] BWC footage from TXDPS Troopers [redacted] and [redacted], UPD Officers [redacted] and [redacted], UCSO Deputy [redacted], and Constable Zamora. Cell phone video footage from [redacted].
[24] OPR interview of BPA [redacted], March 6, 2023, timestamp between 01:06:57 and 01:29:45; cell phone video footage from [redacted].

Classroom	Start Time	Stop Time	Total Time	Means of Escape
102	11:58:33 AM	11:59:03 AM	30 seconds	Window
116	11:59:18 AM	11:59:44 AM	26 seconds	Door
103	12:02:26 PM	12:03:03 PM	37 seconds	Window
104	12:05:25 PM	12:06:10 PM	45 seconds	Window
106	12:06:27 PM	12:08:33 PM	126 seconds	Window
108	12:07:22 PM	12:07:28 PM	6 seconds	Door
105	12:07:48 PM	12:08:15 PM	27 seconds	Window
109	12:23:49 PM	12:26:22 PM	153 seconds	Window

Table 1. Estimated Evacuation Times for West Wing of Robb Elementary School

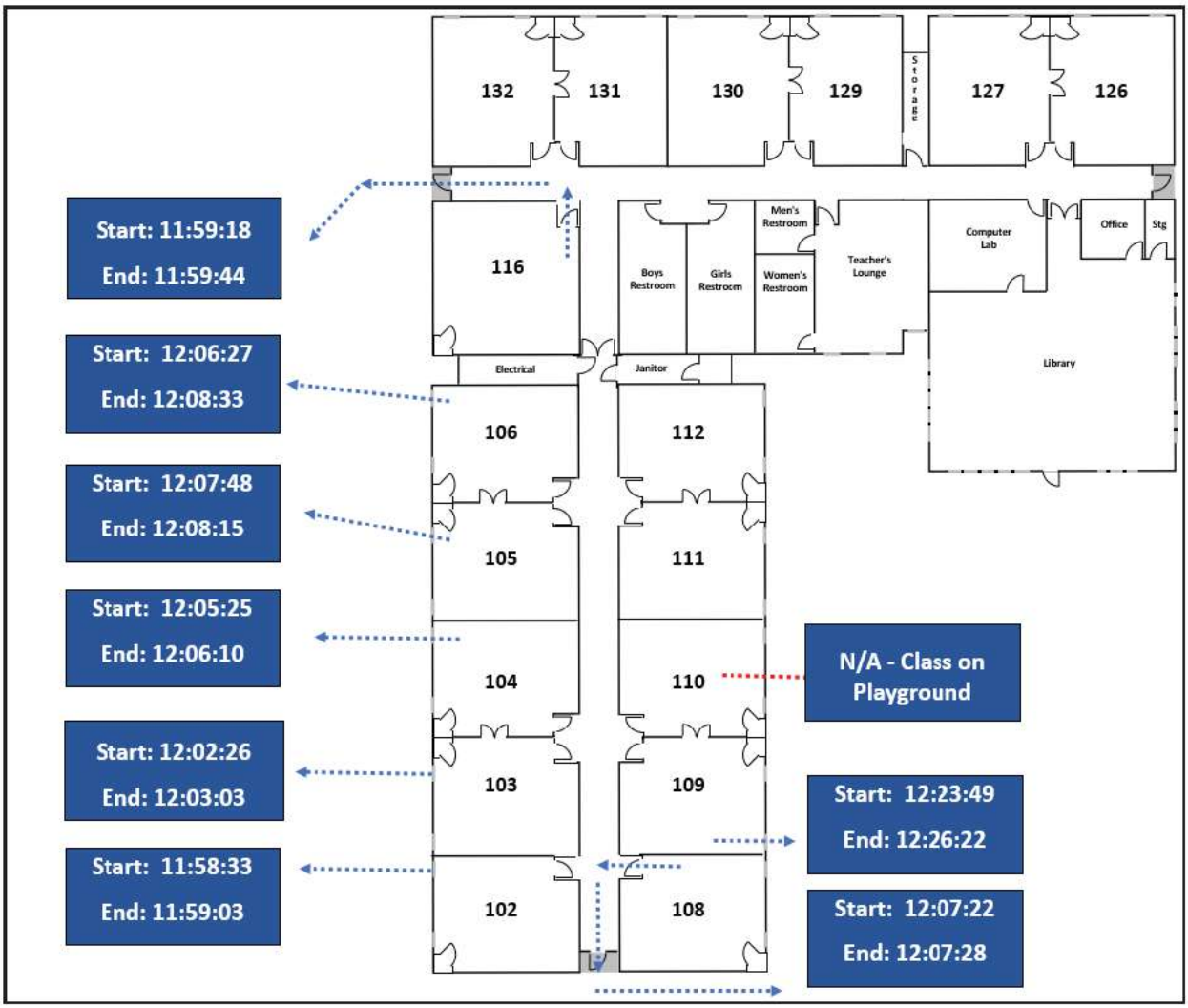


Figure 6. Evacuation of West Wing of Robb Elementary School

According to interview statements, UCSO Sheriff Ruben Nolasco arrived at Robb Elementary School at approximately **12:05:00 PM**, and Acting USBP Patrol Agent in Charge ((A)PAIC) [redacted] (UVA) arrived at **12:05:00 PM**.[25] Outside the west door, UPD Officer [redacted]'s BWC captured UPD Officer [redacted] telling UPD Acting Chief Pargas, "I've got BORTAC on the way. I need an [Officer in Charge] out here and I need someone to make calls." (**12:10:47 PM**).[26] Sheriff Nolasco was first seen on TPWD Game Warden [redacted]'s BWC at **12:11:46 PM** giving direction to move the parents congregating near the school farther back. (A)PAIC [redacted] stated that he walked over to UCSO Sheriff Nolasco, who was standing by a patrol vehicle near the funeral home, to get an update, believing he [Sheriff Nolasco] was the highest-ranking law enforcement officer on scene.[27]

SBPA [redacted] (DRT SOD), who was the Acting BORTAC Commander, was on approved annual leave on May 24, 2022, when he learned about the incident at Robb Elementary School from BPA [redacted] (UVA) at approximately **11:45:00 AM**. After notifying BORTAC team members about the incident through a group chat and telling them to respond, SBPA [redacted] drove to Robb Elementary School and entered the building at **12:13:12 PM**. Upon entering the building, UPD Officer [redacted] informed SBPA [redacted] there was a child on the phone stating there were victims in the classroom.[28] Although SBPA [redacted] responded to confirm this information, SBPA [redacted] later said it did not make sense to him because his own children enrolled in Uvalde-area schools were already out of school for the summer (**12:13:43 PM**).[29] SBPA [redacted] spent the next few minutes obtaining conflicting details about the situation, including information on the extent of the injuries of those in Classrooms 111 and 112 (**12:16:19 PM**).[30] At the time of SBPA [redacted]'s arrival, no shots had been fired for 29 minutes.

UPD Officer [redacted] reentered the west door at **12:17:32 PM** with a duffle bag full of gas masks, to be used by law enforcement officers if CS gas was deployed.[31] TXDPS Ranger [redacted] spoke to UPD Acting Chief Pargas and said the situation was becoming chaotic and unmanageable (**12:17:56 PM**).[32] TXDPS Ranger [redacted] told UPD Acting Chief Pargas, "We need to get everybody back, all the heads get together, whoever's in charge of each agency so we know what's coming and what's not coming and then have somebody relay the information back

[25] OPR interview of XO [redacted], March 15, 2023, timestamp 08:41:30; OPR interview of Assistant Chief Patrol Agent (ACPA) [redacted], March 1, 2023, timestamp 00:36:17; OPR interview of PAIC [redacted], March 23, 2023, timestamp 00:58:25; OPR interview of SOS [redacted], March 1, 2023, timestamp 12:12:22; OPR interview of WC [redacted], March 1, 2023, timestamp between 01:04:10 and 01:13:00; OPR interview of WC [redacted], March 2, 2023, timestamp 08:28:00; OPR interview of BPA [redacted], March 21, 2023, timestamp 01:07:16.
[26] BWC footage from UPD Officer [redacted].
[27] Follow-up email to OPR investigators from (A)PAIC [redacted], March 10, 2023.
[28] BWC footage from UPD Officer [redacted].
[29] OPR interview of SBPA [redacted], March 16, 2022, timestamp 00:41:18
[30] *Id.*
[31] 2-chlorobenzalmalononitrile gas, commonly called CS gas, is used as a riot control agent. Exposure to CS gas reacts with moisture on the skin and eyes, causing a temporary burning sensation that lasts between several minutes and several hours.
[32] BWC footage from TPWD Game Warden [redacted].

cuz it's starting to get to that to that point."[33] TXDPS Ranger [redacted] then went back inside the building and spoke to SBPA [redacted]. According to SBPA [redacted]'s statement, TXDPS Ranger [redacted] told SBPA [redacted] he would help SBPA [redacted] as much as possible and told SBPA [redacted] to do whatever was needed to resolve the situation.[34] SBPA [redacted] explained that TXDPS Ranger [redacted] said, "You've got my support…whatever you need, I'm here."[35]

After SBPA [redacted] spoke with TXDPS Ranger [redacted], BWC footage from UCSO Deputy [redacted] sh d SBPA [redacted] on the phone providing an update to an unknown person based on his understanding of the situation. In his update, SBPA [redacted] said, "I'm here with everyone else, we just gotta know if the door is opened, is it closed, is it locked?" After a pause, SBPA [redacted] asked, "How many inside? They said I gotta breach the door?" He asked the other law enforcement officers around him, "Who saw the door? Does the door need to be breached?" UPD Staff Sergeant [redacted] responded by saying, "Yeah. I don't know if it's locked, but when we got close…it's dark…he shot toward us, so we had to come back" (**12:19:35 PM**). At that time, there were at least 19 law enforcement officers in the north end of the hallway.

South End of Building (11:33 AM – 12:21 PM)

The law enforcement response continued to be split between the north and south ends of the building. The static camera at the T-intersection provided continuous coverage of the hallway facing south for the entirety of the incident. Various BWCs of other law enforcement personnel passing through the area captured additional perspectives of the activities taking place at the T-intersection. Although there is no static camera at the south end of the hallway, several BWCs, including those worn by UPD Staff Sergeant [redacted], Uvalde County Precinct 6 Constable Emmanuel Zamora, UPD Sergeant [redacted], and UCSO Deputy [redacted], captured portions of the incident from the south. At various times during the incident, one or more law enforcement officers were standing near UCISDPD Chief Arredondo and captured some of his words and actions on their BWC. Despite this coverage, there are significant gaps in the footage from the south end of the hallway.

UPD Staff Sergeant [redacted] and UPD Officer [redacted]'s BWCs captured the seconds before the assailant opened fire on the initial team at **11:37:00 AM**. UPD Investigator [redacted], UPD Sergeant [redacted], UCISDPD Chief Arredondo, and UCISDPD Officer [redacted] approached Classrooms 111 and 112 from the south end of the hallway at **11:36:11 AM**. Once the assailant opened fire, UCISDPD Chief Arredondo, UCISDPD Officer [redacted], and UPD Investigator [redacted] retreated southward toward the door but remained inside the building, while UPD Sergeant [redacted] exited through the south door to make a radio transmission. UPD Sergeant [redacted]'s BWC captured his actions and those of UCISDPD Officer [redacted], who exited the building less than two minutes after UPD Sergeant [redacted]. UPD Sergeant [redacted] and UCISDPD Officer [redacted] remained outside the south door for the next ten

[33] *Id.*
[34] OPR interview of SBPA [redacted], March 16, 2023, timestamp 00:35:58.
[35] *Id.* at timestamp 00:36:25.

minutes, while UPD Sergeant [redacted] tried to communicate over the radio. No BWC or interview captured the activities in south hallway during this time.

UPD Sergeant [redacted]'s BWC showed UPD Officer [redacted], UCSO Deputies [redacted] and [redacted], and BPA-I [redacted] arrive at the south entrance and meet with UPD Sergeant [redacted] at **11:48:32 AM**. There were no further recordings capturing law enforcement's actions inside the south end of the building until UCSO Deputy [redacted]'s BWC recorded him entering through the south door of the building at **11:54:24 AM**. UCSO Deputy [redacted] took up a prone defensive position near Classroom 102 and checked the room for occupants at **11:57:07 AM**, finding people inside the classroom. He directed the students there to try to exit the room through the window on the west side of the building, away from the assailant's position. UPD Investigator [redacted] also entered Classroom 102 and asked if anyone was injured (**11:57:46 AM**). UCSO Deputy [redacted]'s BWC next captured UCISDPD Chief Arredondo attempting to make contact with the assailant by calling out to him from the south hallway (**11:59:02 AM**).

At **12:01:54 PM**, UPD Lieutenant [redacted] entered the south end of the building, where UCSO Deputy [redacted] asked him to check for occupants in Classroom 108. UPD Lieutenant [redacted] looked inside the classroom through the window in the door but did not attempt to open the door. After being told by UCSO Deputy [redacted] that he was in a dangerous potential crossfire situation, UPD Lieutenant [redacted] crossed the hallway and joined UCSO Deputy [redacted] near Classroom 102.[36] UCISDPD Chief Arredondo called out to UPD Lieutenant [redacted] and asked if he could get a sniper on the rooftop, then continued to try to contact the assailant by calling out to him from the hallway (**12:02:40 PM**).

At **12:06:56 PM**, UCSO Deputy [redacted] crossed the hall and opened the door to Classroom 108, where he encountered a teacher and children inside the room. UCSO Deputy [redacted] called out to UCISDPD Chief Arredondo and another officer and requested cover, saying he "has got kids in the classroom."[37] UCSO Deputy [redacted]'s BWC showed UPD Officer [redacted] taking a defensive position near the door of Classroom 102 to provide cover for the students' evacuation. Once Classroom 108 was cleared, UCSO Deputy [redacted] moved down the hall toward UCISDPD Chief Arredondo near Classroom 104. UCSO Deputy [redacted]'s BWC captured UCISDPD Chief Arredondo giving direction to other nearby law enforcement officers in and around the south end of the hallway.

In the south end of the hallway, UCSO Deputy [redacted]'s BWC recorded an unknown person asking UCISDPD Chief Arredondo, who was then standing across from UCSO Deputy [redacted] near Classrooms 109 and 110, whether BORTAC had arrived. UCISDPD Chief Arredondo responded to the unknown person, saying, "We're gonna clear out before we do any breaching." (**12:08:18 PM**). UCISDPD Chief Arredondo then asked a different unknown person near the south hallway door to find one of the school officials and get a master key for the classrooms (**12:08:33 PM**). Shortly thereafter, UCISDPD Chief Arredondo said to UCSO Deputy [redacted], "I'm going to verify what's been vacated before we do any kind of breaching, but time is on our

[36] BWC footage from UCSO Deputy [redacted].
[37] *Id.* at timestamp 00:29:32.

side right now." (**12:09:05 PM**). At **12:09:13 PM**, Constable Zamora entered through the south door with UPD Sergeant [redacted], and both cleared Classroom 108.[38] UCSO Deputy [redacted]'s and Constable Zamora's BWCs captured UCISDPD Chief Arredondo telling people near the south door that the helicopter flying overhead needs to "go out" because it was too loud (**12:09:45 PM**). Constable Zamora exited through the south door and relayed UCISDPD Chief Arredondo's direction to the officers waiting outside; however, there is no indication this information was ever relayed to the pilots overhead.

UPD Sergeant [redacted] focused on trying to enter the locked door to Classroom 109 to evacuate the teacher and students and offered to break the small, reinforced window inset of the metal door to access the interior door latch. UCISDPD Chief Arredondo told UPD Sergeant [redacted] not to because it was too small to be useful, and UCISDPD Chief Arredondo didn't want to draw attention toward the area (**12:10:16 PM**).[39]

At **12:10:38 PM**, UCSO Deputy [redacted]'s BWC captured UCISDPD Chief Arredondo making a phone call and saying, "Johnny, Johnny, I'm getting a master key and we're gonna check one room that we can't open. It's dark. I need to verify the west wing is completely empty." Footage from the static camera at the T-intersection and TPWD Game Warden [redacted]'s BWC showed Constable Johnny Field receiving a call at the same time at the north end of the hallway. At the conclusion of the call, Constable Zamora's BWC captured UCISDPD Chief Arredondo moving south down the hall at **12:12:10 PM**, where he gave instructions and a situation report to the nearby officers, stating, "Hey guys. Hey guys. Hold on. We're going to clear the building first…and then we'll tackle him…but we're going to empty out these classrooms." (**12:12:23 PM**).

Once UCISDPD Chief Arredondo finished speaking, Constable Zamora moved toward the south door. Visible inside the south hallway near the door was BPA [redacted] (UVA), along with four other law enforcement officers. Outside the south door were approximately nine law enforcement officers, including BPA-I [redacted], BPA [redacted] (UVA), and BPA [redacted] (MRS, detailed to UVA). Constable Zamora's BWC captured Constable Zamora telling the group, "No entry until the Chief of Police gives you permission then." (**12:13:33 PM**). There is no indication that UCISDPD Chief Arredondo's directions were relayed beyond the law enforcement officers standing immediately outside the south door.

Constable Zamora then asked UPD Investigator [redacted] about a master key, and UPD Investigator [redacted] told Constable Zamora there was a key on "the other side" and nodded toward the west door (**12:13:48 PM**).[40] Constable Zamora ran around to the west side of the building and asked UPD Lieutenant [redacted] if he knew where to find a master key. While on the west side of the building, Constable Zamora learned of a dark-colored backpack found outside containing

[38] BWC footage from Constable Zamora.
[39] BWC footage from UPD Sergeant [redacted].
[40] BWC footage from Constable Zamora.

approximately 30 loaded rifle magazines and broadcasted this information over the radio (**12:14:18 PM**).

Constable Zamora next asked UCISDPD Officer [redacted] about a master key. UCISDPD Officer [redacted] called out to UCISDPD Lieutenant [redacted] to ask about the key and heard that UPD Officer [redacted] had them (**12:14:43 PM**). Constable Zamora ran to UPD Officer [redacted] and received a keyring on a red lanyard from UPD Officer [redacted]. UCISDPD Lieutenant [redacted] then took the keys from Constable Zamora and removed part of them, handing Constable Zamora what he believed were the correct keys. Constable Zamora then ran back to the south door of the building.

At **12:16:33 PM**, TXDPS Sergeant [redacted] approached and stopped at the south door and told UCISDPD Chief Arredondo, "They say BORTAC unit is going in."[41] USCISPD Chief Arredondo replied, "Okay…let me secure that room first," [referring to Classroom 109].[42] At **12:16:47 PM**, UCISDPD Chief Arredondo went to the doors to Classrooms 109 and 110 with UPD Sergeant [redacted] and Constable Zamora and attempted to open the door to Classroom 109 with the keys obtained by Constable Zamora. Prior to trying the door, Constable Zamora told the law enforcement officers in the hallway to "Get ready for friendlies," referring to the potential for teachers and students to come out of the classroom.[43] UCISDPD Chief Arredondo immediately stepped into the hall and faced south toward the law enforcement officers down the hallway and said, "Tell them to fucking wait," (**12:16:53 PM**).[44] TXDPS Sergeant [redacted] turned around and relayed UCISDPD Chief Arredondo's direction to wait to the officers outside the south door, saying, "Sir, sir, sir…don't send them…we need to clear the classroom first."[45]

UCSO Deputy [redacted]'s BWC showed SBPA [redacted] (UVA) outside the south hallway holding a cell phone to his ear. In his statement to OPR, SBPA [redacted] stated that he made multiple calls on his personal cell phone, lasting 10-15 seconds each, to SBPA [redacted] throughout the incident, discussing UCISDPD Chief Arredondo's search for a master key and the location of CBP personnel at the school.[46] However, besides UCISDPD Chief Arredondo attempting to negotiate with the assailant and discussing the need to find a master key, SBPA [redacted] stated that he never heard or relayed a command from UCISDPD Chief Arredondo or anyone else for an entry team to wait.[47] SBPA [redacted] could also be seen receiving two calls from unknown people.[48] In the first call, which lasted 23 seconds, SBPA [redacted] said toward the end of the call, "these

[41] BWC footage from UPD Sergeant [redacted].
[42] *Id.*
[43] BWC footage from UPD Sergeant [redacted].
[44] BWC footage from Constable Zamora.
[45] BWC footage from TXDPS Trooper [redacted].
[46] OPR interview of SBPA [redacted] March 7, 2023, timestamp 00:38:10.
[47] *Id.* at timestamp 02:01:15.
[48] Video footage captured by static camera located in Robb Elementary School, May 24, 2022.

guys are about to make entry on this side bro… Alright…10-4…We'll standby."[49] No audio was captured from the second call, which lasted 10 seconds.[50]

After UCISDPD Chief Arredondo was unsuccessful in opening the door to Classroom 109 with the keys, Constable Zamora tried to open the door by releasing the latch with a knife (**12:18:15 PM**). Constable Zamora asked an unknown law enforcement officer to call UCISDPD Lieutenant [redacted] to bring the rest of the keys (**12:19:29 PM**). UCISDPD Chief Arredondo told TXDPS Trooper [redacted], "Want to get [victims] out before we go in, we already have victims in there [referring to Classrooms 111 and 112], don't want to have any more in here, you know what I'm saying?" (**12:20:28 PM**).[51] At that time, there were at least 15 law enforcement officers in the south end of the hallway.

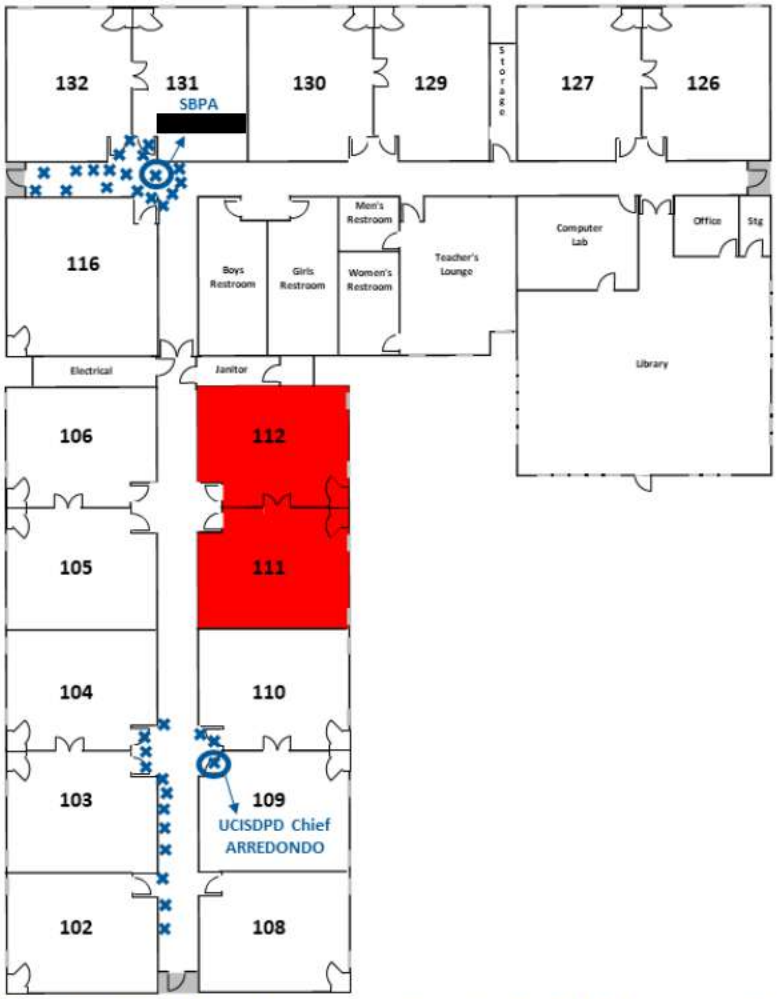


Figure 7. Approximate location of law enforcement officers inside Robb Elementary School at 12:21 PM

[49] BWC footage from UPD Officer [redacted]; Video footage captured by static camera located in Robb Elementary School, May 24, 2022.
[50] Video footage captured by static camera located in Robb Elementary School, May 24, 2022.
[51] BWC footage from TXDPS Trooper [redacted].

PHASE II: 12:21 PM – 12:50 PM

North End of Building (12:21 PM – 12:50 PM)

At **12:21:05 PM**, multiple videos and BWCs captured the sound of four gunshots coming from the direction of Classrooms 111 and 112. This was 37 minutes and 3 seconds after the assailant's last shot at **11:44:02 AM**. Video footage from BWCs and the static camera at the T-intersection showed approximately 17 law enforcement officers, including 8 CBP personnel, present inside the north end of the building when the shots were fired. At that time, the only USBP BORTAC member on scene was SBPA [redacted]. The static camera at the T-intersection showed ZCSO Deputy [redacted], BPA [redacted] SBPA [redacted], BPA [redacted], BPA [redacted] (UVA), an unidentified Deputy U.S. Marshal an unidentified BPA wearing a gas mask, BPA [redacted], Constable Field, UPD Staff Sergeant [redacted], BPA [redacted] (UVA), UPD Officer [redacted], and an unidentified UCSO Deputy respond to the gunshots by lining up and advancing down the hallway toward Classrooms 111 and 112, fifteen seconds after the four shots were fired. At least eight other law enforcement officers remained at the T-intersection.

Shortly after the group began approaching the doors to Classrooms 111 and 112, it halted between the door of the janitor's closet and the doors to Classrooms 111 and 112. Two BPAs who were in the group that approached the classrooms from the T-intersection after hearing shots fired stated that no one told the group to stop their advance; instead, they did not proceed further because they believed the doors to the classrooms were locked and they had no means to open them (**12:22:06 PM**).[52] An unknown law enforcement officer in the stalled group that made its way toward the doors to Classroom 111 and 112 transmitted over the radio, "We need breaching equipment and a rifle shield, suspect still shooting in the school, I'm in with the team, got a shield." (**12:22:11 PM**).[53] Other officers in the hallway who approached Classrooms 111 and 112 following the shots asked if the doors to the classrooms were locked, while others discussed whether the priority should be using CS gas or finding breaching tools.

BPA [redacted] (DRT SOD) and SBPA [redacted] (DRT SOD), both BORSTAR paramedics, entered the building at **12:23:28 PM** and briefly spoke to SBPA [redacted] at the T-intersection to assess the situation. During their discussion, BPA [redacted], who was in the north hallway, reached into his pocket and pulled out a key lanyard that he had received earlier from an unknown person, and shouted, "Who needs a key?" SBPA [redacted] responded, and BPA [redacted] tossed the key lanyard; however, they quickly realized the keys did not work on the doors in the building. Meanwhile, BPA [redacted] and SBPA [redacted] established a medical triage area by setting up medical equipment near the restrooms in the hallway east of the T-intersection (**12:24:25 PM**). Other BPAs, including BPAs [redacted] and [redacted], assisted in setting up the triage area. In a brief conversation with TXDPS Ranger [redacted] and

[52] OPR interview of BPA [redacted], March 20, 2023, timestamp 02:57:30; OPR interview of BPA [redacted], March 17, 2023, timestamp 00:56:26.
[53] BWC footage from UPD Staff Sergeant [redacted].

TPWD Game Warden [redacted] near the T-intersection, SBPA [redacted] told them, "If he keeps firing, we gotta go." (**12:25:45 PM**).

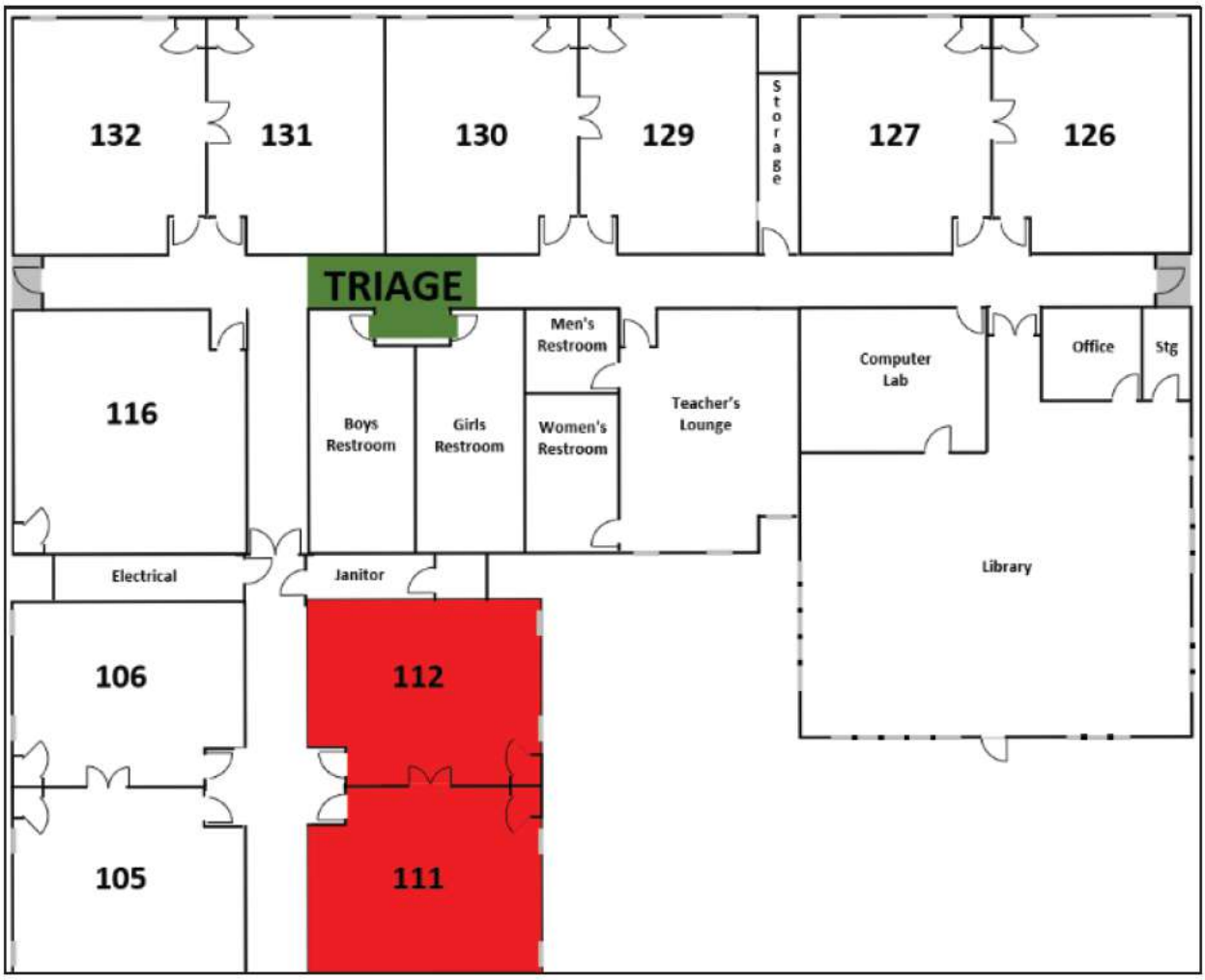


Figure 8. Location of Medical Triage Area

Between **12:24:51 PM** and **12:33:08 PM**, radio communications were hindered by an unidentified person unknowingly activating the microphone on their radio, a situation known as a "hot mic," which prevented others from using their radios. During that time, conversations between law enforcement officers with their microphones depressed could intermittently be heard over the radio frequency while the dispatcher broadcasted that a microphone was activated. Previously, the UPD radio system had been connected with the USBP radio system through what is known as a "patch," leading to additional radios on the network, which further complicated resolution of the hot mic issue. The hot mic issue intermittently affected all radio communications on the patched radio network.

At **12:26:59 PM**, UPD Officer [redacted] asked UPD Officer [redacted] whether Classrooms 111 and 112 were connected to each other.[54] As the two discussed the issue, SBPA [redacted] interjected and asked, "He could be in the other one?" referring to Classroom 112. UPD Officer [redacted] stated he believed the two classrooms might be connected, to which SBPA [redacted] responded, "So there's a giant room he could be in? OK." Seconds later, SBPA [redacted] met with TPWD Game Warden [redacted], who was looking at a rough map of the school, which did not show any connecting doors between Classrooms 111 and 112.[55] SBPA [redacted] then sent a text message sharing his understanding of the situation to other BORTAC members at approximately **12:28:12 PM** saying, "Guy is taking shots at the door. He has multiple children in there. Door is locked."[56]

At **12:28:39 PM**, UCSO Sheriff Nolasco entered the school through the west door, stopped at the T-intersection, pointed at TPWD Game Warden [redacted], and said, "Get one guy, from in here only making phone calls or radio communications. We got too many…" TPWD Game Warden [redacted] replied, "Yeah. Nah. Everyone in here is quiet. We are all focused." UCSO Sheriff Nolasco responded, "Ok. But we just need one person communicating out of this building, okay? Please." (**12:28:46 PM**). UCSO Sheriff Nolasco exited the building at **12:29:52 PM**.

At **12:29:01 PM**, BORSTAR SBPA [redacted] (DRT SOD) entered the building and walked toward SBPA [redacted], who was talking to BPA [redacted] and SBPA [redacted] at the T-intersection.[57] UCSO Deputy [redacted]'s BWC captured SBPA [redacted] explaining his understanding of the situation at that moment:

SBPA [redacted]	:	*"On each window and deploy gas."* (**12:29:08 PM**)
SBPA [redacted]	:	*"I don't have gas…it's in my truck…"* (**12:29:09 PM**)
SBPA [redacted]	:	*"There's a crate full of gas right there. I just need breachers…"* (**12:29:11 PM**)
SBPA [redacted]	:	*"Do we have keys for the room?"* (**12:29:17 PM**)
SBPA [redacted]	:	*"There are master keys here, but they aren't opening none of these other doors. So, they say it's a master key but it's not opening the doors, so we don't know if it works or not. He is shooting at the door every time someone gets close to it."* (**12:29:18 PM**)
SBPA [redacted]	:	*"What's he shooting with?"* (**12:27:27 PM**)
SBPA [redacted]	:	*"A rifle. They said he has a rifle and some magazines. They already found rifles and magazines. The rounds are going through the walls."* (**12:29:28 PM**)
SBPA [redacted]	:	*"OK."* (**12:29:34 PM**)
SBPA [redacted]	:	*"We just need…I need my guys to breach that window and get some gas in there."* (**12:29:35 PM**)

[54] BWC footage from UPD Officer [redacted].
[55] BWC footage from TPWD Game Warden [redacted]; Video footage captured by static camera located in Robb Elementary School, May 24, 2022.
[56] See Appendix II for detailed information about the BORTAC members' internal communications and locations.
[57] BWC footage from UCSO Deputy [redacted].

BPA-Programs (BPA-P) [redacted] (DRT) entered the building through the west door at **12:29:18 PM** and identified himself as an EMT. BPA [redacted] and SBPA [redacted] broke away from their conversation with SBPA [redacted] and began to explain the preliminary triage plan to BPA-P [redacted]. For the next several minutes, BPA-P [redacted] and BPA [redacted] prepared medical equipment while SBPAs [redacted] and [redacted] and BPA [redacted] stayed near the group of law enforcement officers gathered outside Classrooms 111 and 112. BORSTAR BPA [redacted] (DRT SOD) arrived with additional medical supplies, dropped them off with BPA-P [redacted] and BPA [redacted], and joined SBPAs [redacted] and [redacted] and BPA [redacted] (**12:30:39 PM**). At that time, one member of BORTAC (SBPA [redacted]) and four members of BORSTAR (SBPAs [redacted] and [redacted] and BPAs [redacted] and [redacted]) were on scene.

BPA [redacted] (BRA), an EMT, entered through the west door at **12:31:41 PM** with multiple bags of medical equipment and a backboard, which he took to the restrooms on the east side of the T-intersection where the triage area was being set up. SBPA [redacted] handed SBPA [redacted] a canister of CS gas in preparation for an eventual breach (**12:32:27 PM**). At **12:32:32 PM**, SBPA [redacted] exited the building through the west door and went to his vehicle to retrieve a Halligan tool (a tool used for forcible entry). As SBPA [redacted] exited the building, UPD Officer [redacted] entered the building and told people, "Hey guys, there's somebody parked in the roadway, if you can move so they can egress. Give me your keys if you want." (**12:32:27 PM**). Multiple law enforcement officers in the T-intersection handed UPD Officer [redacted] their car keys or let him know where their keys were located.

Beginning at **12:33:04 PM**, BPA-P [redacted] informed other law enforcement officers in the T-intersection about the medical triage plan. He told an unknown BPA the plan for integrating the awaiting civilian ambulance crews with the medical response efforts inside the building, saying, "They can stage outside, we are going to triage here; what needs to go we are going to go." As he said this, BPA-P [redacted] pointed to the west door, motioning for the ambulance crews to be staged just outside the door. As BPA [redacted] repeated information previously told to him to SBPAs [redacted] and [redacted], BPA-P [redacted], and BPA [redacted], an unknown Deputy U.S. Marshal said, "A student called 911. That they are locked in there, multiple casualties," (**12:33:12 PM**).[58] The static camera at the T-intersection and several BWCs captured the triage preparations for the next several minutes.

At **12:35:44 PM**, SBPA [redacted] reentered the building through the west door, carrying a Halligan tool, and walked toward the janitor's door near Classrooms 111 and 112 to test the viability of using the tool. SBPA [redacted] told investigators during an interview that he determined that using the Halligan tool alone, without a ram or sledgehammer, would be ineffective because it would take too long to open the door.[59] SBPA [redacted] asked if anyone around him had access to a sledgehammer, but none was



Figure 9. Halligan Tool

[58] BWC footage from UCSO Deputy [redacted].
[59] OPR interview of SBPA [redacted], March 16, 2023, timestamp 02:44:09.

available. SBPA [redacted] believed if he had tried to open the door with just the Halligan tool and the assailant shot through the door again, it could have resulted in a situation where he or another law enforcement officer could be injured without making any progress stopping the assailant.[60]

At **12:36:16 PM**, TXDPS Ranger [redacted] entered the building through the west door with a set of keys on a black lanyard. He handed them to SBPA [redacted], who took them and successfully tested them on the janitor's door and Classrooms 131 and 132 (**12:36:57 PM**). At **12:37:08 PM**, BPA [redacted] (DRT SOD) and BPA [redacted] (DRT SOD), both members of BORTAC arrived at the T-intersection and received a quick briefing from SBPA [redacted]. SBPA [redacted] motioned for everyone in the T-intersection to quiet down at **12:37:56 PM**. BPA [redacted], a BORTAC sniper, exited through the east door to find a vantage point that would allow him to see into the classroom. Over the course of 13 minutes, BPA [redacted] attempted to see inside Classrooms 111 and 112 from three different vantage points. BPA [redacted] told investigators he was able to see a bullet hole in the window of Classroom 111 but was unable to see inside the classroom because the closed window blinds obstructed his view.[61]

Preparation for the medical response continued in the T-intersection. Multiple BWCs captured BPA-P [redacted] explaining the response plan for casualties. At **12:42:07 PM**, BPA-P [redacted] told at least eight law enforcement officers in the T-intersection, "We gotta, we're gonna send out, wounded, wounded this way. Non wounded, we're going to take them straight over there, outside, ok? Anybody wounded, we want to go here so our EMTs can work on them, OK?" BPA [redacted] asked BPA [redacted] if his medical equipment was still packed up and said to take his equipment to the "other side" as he pointed to the south end of the hallway "in case they take people to the other side." (**12:42:31 PM**).

An unidentified Deputy U.S. Marshal entered the west end of the building with a rifle-rated ballistic shield and handed it to BPAs [redacted] and [redacted] near the T-intersection (**12:43:05 PM**).[62] Together, BPAs [redacted] and [redacted] brought the shield toward the doors to Classrooms 111 and 112, where law enforcement officers were gathered in preparation to enter the classrooms. Afterward, BPA [redacted] gathered BPA-P [redacted], BPA [redacted], and TXDPS Trooper [redacted] (all EMTs) to review the medical plan, saying, "Serious trauma. Straight to the ambulance. Once they are overwhelmed, we do it here." (**12:43:49 PM**). BPA-P [redacted] further clarified where wounded and non-wounded victims were to be treated. At **12:45:45 PM**, footage from UCSO Deputy [redacted]'s BWC showed BPA [redacted] and BPA-P [redacted] briefing a civilian ambulance crew staged immediately outside the west door because the situation inside the west building still active and posed an immediate danger to life and health. BPA [redacted]

[60] OPR interview of SBPA [redacted], March 16, 2023, timestamp 02:47:28.
[61] OPR interview of BPA [redacted], March 9, 2023, timestamp 00:34:20.
[62] Five other ballistic shields were brough into Robb Elementary School before an unidentified Deputy U.S. Marshal brought a rifle-rated shield. Three shields were brought into Robb Elementary School at 11:52:15 AM, 12:03:59 PM, and 12:04:48 PM, but none of them were rifle-rated. Two additional shields, both rifle-rated, were brought into Robb Elementary School at 12:20:55 PM and 12:30:16 PM before the final rifle-rated shield arrived at 12:43:05 PM.

(BRA) arrived during this briefing, and BPA [redacted] directed him to assist BPA [redacted] on the south end of the hallway (**12:46:33 PM**).

After driving more than 70 miles from Del Rio, Texas, BPA [redacted] (DRT SOD and member of BORTAC) arrived and parked near the funeral home at approximately **12:47:00 PM**.[63] Although no one specifically requested he do so, as a Level II Breacher trained in explosive breaching techniques, BPA [redacted] brought supplies to prepare an explosive omni-bottle charge. Unaware that SBPA [redacted] had identified and possessed the correct key to Classrooms 111 and 112, BPA [redacted] began preparing an explosive omni-bottle charge at his vehicle upon his arrival, but abandoned his efforts when he realized law enforcement officers had entered the classroom.[64] BPA [redacted] (DRT SOD and a member of BORTAC) arrived at the school, entered through the west door at **12:47:03 PM**, and joined the line of law enforcement officers preparing to enter the classrooms. At **12:48:03 PM**, an unidentified person brought a sledgehammer and handed it to BPA-P [redacted] and the law enforcement officers preparing to make entry, although it was no longer needed because the master key had been located.

Officers in view of the static camera at the T-intersection repositioned in anticipation of the breach. BPA-P [redacted] instructed the ten law enforcement officers in the T-intersection to separate, with medics going toward the triage area set up near the restrooms and all other officers toward the opposite side near the west door (**12:48:22 PM**).

A group of law enforcement officers, consisting of BPA [redacted], SBPA [redacted], ZCSO Deputy [redacted], and BPA [redacted], advanced to the door to Classroom 111. BPA [redacted] and SBPA [redacted] approached the door to open it, with BPA [redacted] holding a rifle-rated ballistic shield to protect SBPA [redacted] while SBPA [redacted] inserted the key on the black lanyard he received from TXDPS Ranger [redacted] into the door of Classroom 111 and turned it. After the door was opened, it kept automatically closing, so SBPA [redacted] asked someone to put a chair in front of it.[65] As the law enforcement officer in front, BPA [redacted] called out to SBPA [redacted] what he saw inside Classroom 111. BPA [redacted] and SBPA [redacted] waited outside the open door of Classroom 111 for approximately 90 seconds, while SBPA [redacted] assessed what could be seen inside the classroom because the group did not have the element of surprise. While the door was open, SBPA [redacted] recognized BPA [redacted] as another member of his team and motioned for him to come toward the group to make entry.

[63] OPR interview of BPA [redacted], March 9, 2023, timestamp 00:47:00.
[64] *Id.* at timestamp 00:34:36.
[65] OPR interview of SBPA [redacted], March 16, 2023, timestamp 03:01:45.

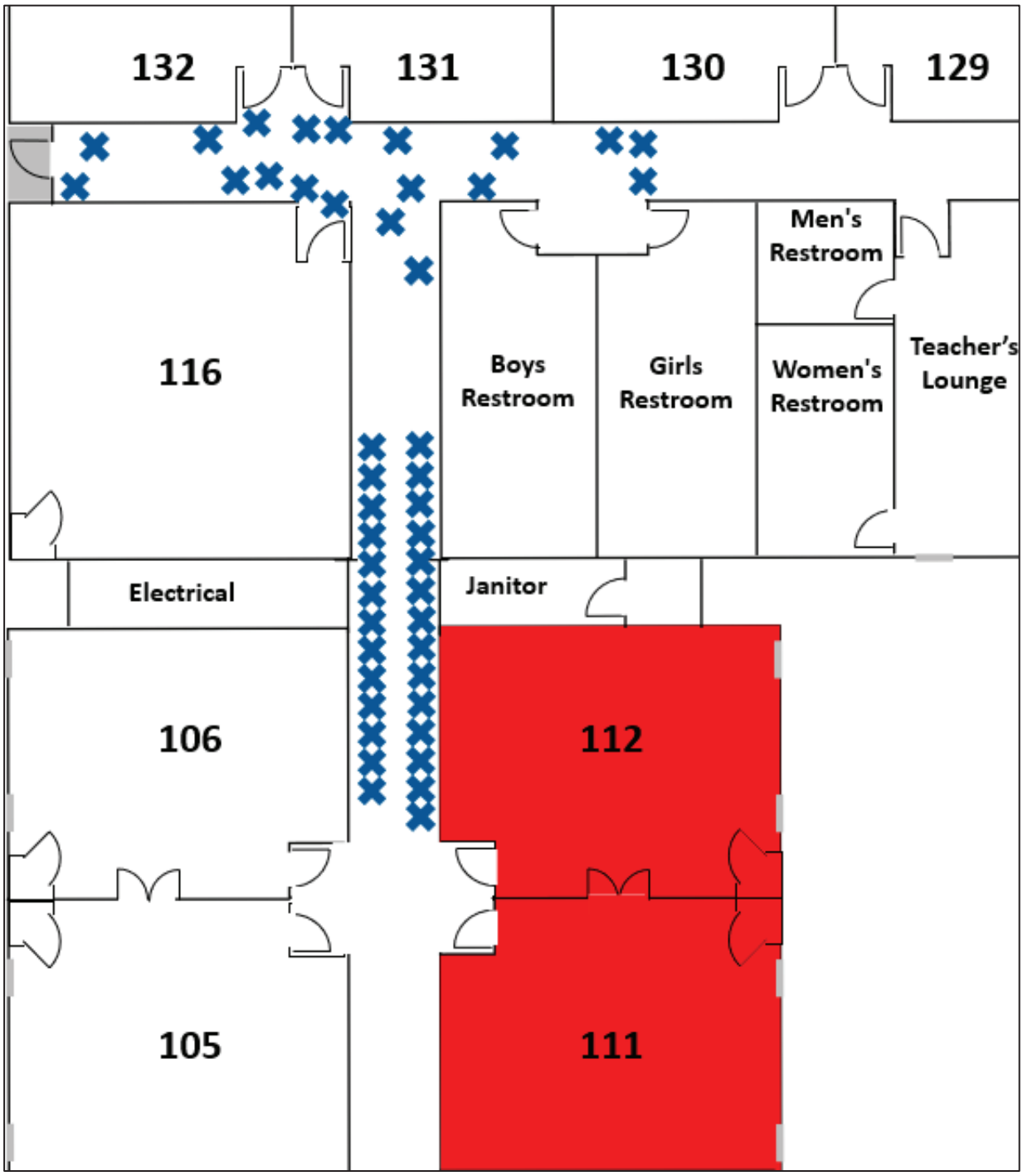


Figure 10. Approximate Location of Law Enforcement Officers at North End of Building at 12:50 PM

Once positioned, SBPA [redacted] gave the indication for the team to advance into the classroom at approximately **12:50:00 PM**. Video footage from BWCs and the static camera at the T-intersection showed approximately 27 law enforcement officers lined up and prepared to enter Classrooms 111 and 112, while approximately 19 law enforcement officers remained at the T-intersection, for a total of approximately 46 law enforcement officers inside the north end of the building when the team entered Classroom 111.

BPA [redacted] entered the classroom and moved straight, stopping at the open doors that joined Classroom 111 to Classroom 112. SBPA [redacted] entered the room behind BPA [redacted] and immediately turned right to ensure there were no threats in the corner of the room not initially visible from the doorway.[66] While visually clearing the blind corner, SBPA [redacted] saw a pile of what appeared to be deceased people in the corner of the room.[67]

ZCSO Deputy [redacted] entered the room next, followed by BPA [redacted], who also turned right toward the blind corner before turning left to address "a loud bang."[68] As SBPA [redacted] turned toward BPA [redacted] to proceed with clearing Classroom 112, he heard a sound and saw muzzle flashes from the assailant's rifle in the corner of the room.[69] BPA [redacted] stated his attention was focused on the open doors leading to the next classroom, so he was caught off-guard when he saw a closet door kicked open from the inside.[70] Almost instantaneously, BPA [redacted] took a step back, slipped, and observed the assailant's black hair and muzzle flashes from the assailant's rifle.[71] BPA [redacted] felt his shield receiving impacts from the assailant's gunfire and returned fire with four rounds from his pistol before it malfunctioned.[72]

[66] OPR interview of SBPA [redacted], March 16, 2023, timestamp 05:46:25.
[67] *Id.*
[68] OPR interview of BPA [redacted], March 21, 2023, timestamp 02:14:00.
[69] OPR interview of SBPA [redacted], March 16, 2023, timestamp 05:46:54.
[70] OPR interview of BPA [redacted], March 15, 2023, timestamp 04:05:20.
[71] *Id.*
[72] *Id.*

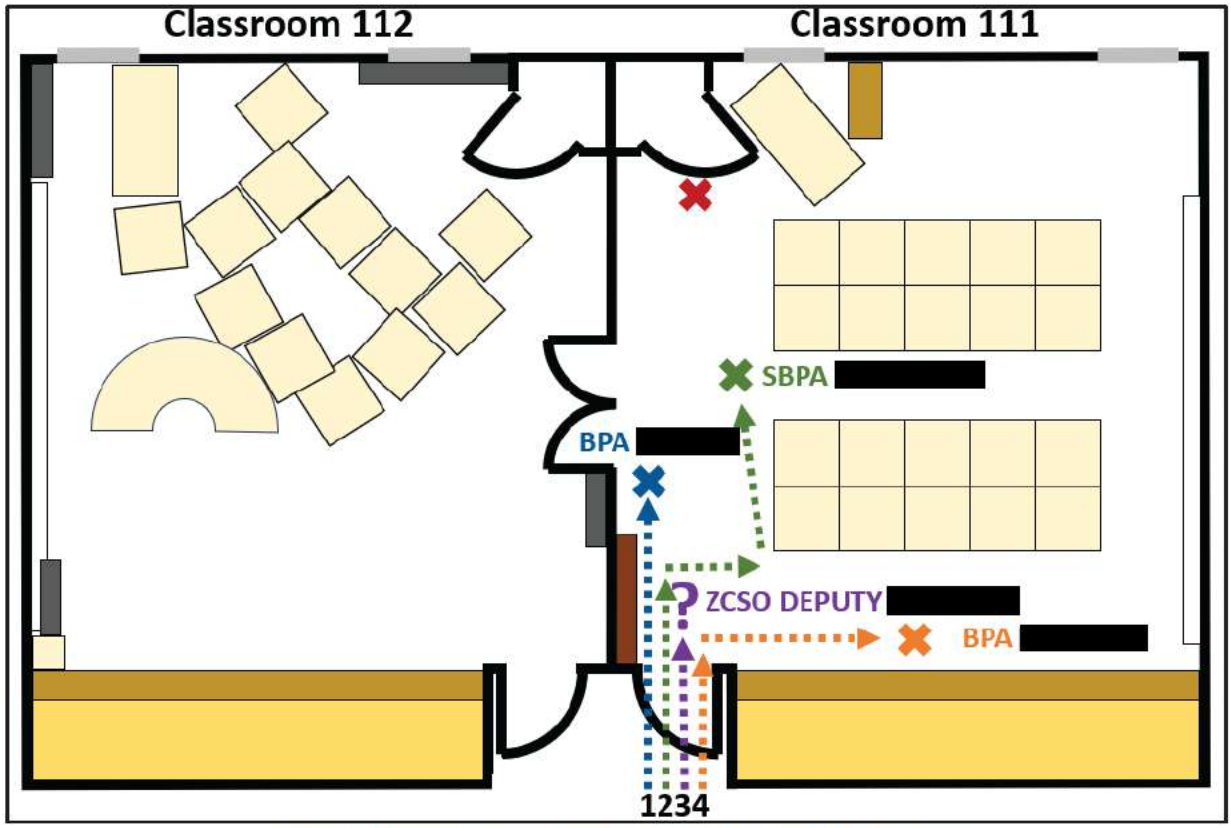


Figure 11. Approximate Movement and Locations of Entry Team

SBPA [redacted] aimed his rifle at the assailant and returned fire, passing BPA [redacted], who was also returning fire, and continuing to fire until the assailant was down on the floor.[73] ZCSO Deputy [redacted] recognized the threat and fired two to four rounds from his rifle before it jammed.[74] BPA [redacted] also heard the gunfire and saw the muzzle flashes. He aimed his rifle at the muzzle flashes and fired 12 rounds at the assailant.[75] As the assailant fell to the floor, his rifle dropped away from him. Once the assailant was down, SBPA [redacted] stood over his body to protect the scene and visually assess the assailant's condition.[76] Seeing no movement and significant trauma to the assailant's torso, SBPA [redacted] concluded the assailant was deceased and did not feel the need to handcuff him.[77]

South End of Building (12:21 PM – 12:50 PM)

Interaction between the law enforcement officers on the north end of the building near the T-intersection and south end of the hallway was minimal. Between **12:21:00 PM** and **12:50:00 PM**, there was no BWC or static camera footage of phone calls or conversations between the two

[73] *Id.*
[74] TXDPS Interview with ZCSO [redacted], May 26, 2022.
[75] OPR interview of BPA [redacted], March 21, 2023, timestamp 03:44:00.
[76] OPR interview of SBPA [redacted], March 16, 2023, timestamp 03:39:04.
[77] *Id.*

groups. Law enforcement officers at the north end of the building were congregated outside Classrooms 111 and 112 and near the T-intersection, while law enforcement officers at the south end of the building, including UCISDPD Chief Arredondo, were lined up along the hallway. The gap between the groups was to prevent a crossfire situation because of the position of Classrooms 111 and 112. While UCISDPD Chief Arredondo was in the south hallway, three other law enforcement leaders, UPD Acting Chief Pargas, UCSO Sheriff Nolasco, and (A)PAIC [redacted], were on-site at Robb Elementary School but were not present inside the school, nor did they give any direction to responding officers. Outside of these four individuals, no other law enforcement leaders arrived until right before or immediately after law enforcement entered Classrooms 111 and 112.

The BWCs of Constable Zamora, TXDPS Troopers [redacted] and [redacted], UPD Sergeant [redacted], and UCSO Deputy [redacted] captured the four shots fired by the assailant at **12:21:05 PM** from the south end of the hallway. After repositioning along the south hallway following the four shots from inside the classroom, the attention of the law enforcement officers in the hallway, including UCISDPD Chief Arredondo, appeared to be focused on evacuating the children in the classrooms around Classrooms 111 and 112. The assailant was believed to be in Classroom 111 or 112, and all other classrooms besides Classroom 109 had been cleared prior to the four shots.

Unknown to the officers in the south hallway, a teacher, [redacted], and a student, [redacted], had been shot in Classroom 109, as bullets from the assailant's weapon penetrated through multiple layers of drywall into adjoining classrooms. Outside, BPAs [redacted] and [redacted] assisted with lifting students out the window of Classroom 109 while other law enforcement officers guided the students to safety. Once the students were evacuated from Classroom 109, BPA [redacted] climbed through the window into the classroom at **12:25:43 PM** and lifted [redacted] through the window to safety.[78] BPA [redacted] climbed out of the classroom window at **12:26:08 PM**.[79]

UPD Sergent [redacted]'s BWC captured UCISDPD Chief Arredondo talking during a phone conversation with an unknown person, saying, "trying to…so we are trying to…people are going to ask why we are taking so long…okay?…So that's what we're trying to preserve the rest of the lives first" (**12:26:29 PM**). During UCISDPD Chief Arredondo's phone conversation, UPD Sergeant [redacted] relayed a message from Constable Zamora to UCISDPD Chief Arredondo that the final classroom, Classroom 109, was clear of students and teachers (**12:26:37 PM**). UCISDPD Chief Arredondo then said, "We have a team ready to go? Have at it." (**12:26:57 PM**). However, OPR's review did not find evidence that this message was ever relayed to law enforcement officers beyond those in UCISDPD Chief Arredondo's immediate vicinity. While talking on the phone, UCISDPD Chief Arredondo said, "so there is a window over there obviously…so the door is going to probably be locked…probably is locked…that's the nature of…Let me try to find some more keys but man…I'm going to get more keys to test some of

[78] OPR interview of BPA [redacted], March 6, 2023, timestamp between 01:06:57 and 01:29:45; cell phone video footage from [redacted].
[79] Cell phone video footage from [redacted].

these doors…I'll call you back." (**12:27:32 PM**). After ending the call, UCISDPD Chief Arredondo told Constable Zamora to find a man named "[redacted]," who possibly had a master key.[80] At **12:29:08 PM**, UCISDPD Chief Arredondo repeated his description of "[redacted]" to Constable Zamora, who had been unable to locate him.

At **12:29:22 PM**, UPD Officer [redacted]'s BWC captured UCISDPD Chief Arredondo explaining his understanding of the situation at that moment to an unknown TXDPS Sergeant and TXDPS Criminal Investigations Division (CID) Special Agent (SA) [redacted]:

UCISDPD Chief Arredondo: "*We've cleared out…we've cleared out everything except for that room…we do have some people down."* (**12:29:24 PM**)
TXDPS CID SA [redacted]: *"The one with the flag door?"* (**12:29:30 PM**)
UCISDPD Chief Arredondo: *"Uh…Just past the flag to the right…it's probably going to be the south…there's two doors on the right…it's going to be the south door but…we were ready to breach but that door's locked."* (**12:29:49 PM**)

At the conclusion of that conversation, approximately 20 law enforcement officers were standing in the south hallway, including SBPA [redacted] (UVA) and BPA [redacted]. Outside the south door, UCSO Deputy [redacted] said, "There's a lot of people in there…you see those guys on the other end? It's just way too much…way too much gun firepower in there." (**12:31:15 PM**).

As [redacted], the teacher in Classroom 109, was making her way away from the building and seeking medical treatment with the assistance of law enforcement officers, TXDPS communications captured a phone call between their dispatch and TXDPS Sergeant [redacted] (**12:30:31 PM**). During the phone call, TXDPS Sergeant [redacted] was looking for EMS to provide care for [redacted] and said on the call, "I don't see any EMS on scene."

At **12:32:07 PM**, UPD Sergeant [redacted]'s BWC captured UCISDPD Chief Arredondo talking on the phone and saying, "Yes sir…yes sir…We need a master key bro…None of these we got are working bro. None of these we just got. Okay. Okay…Keys are coming with [redacted]…okay…I'm waiting for keys…Your BORTAC team…they're ready to go right…so if they've got flashbangs…I hope…I mean are they taking care of that? …'cause we need a distraction for sure…if we get a key going to take a second to open that god damn door, so…yeah…I say we breach those windows…you know what I mean? …offer that to them…because going in through the door is going to be hard…[unintelligible]…would they consider popping in through that window? …[unintelligible]…something to think about…" The static camera at the T-intersection at that time showed that SBPA [redacted], the only member of BORTAC on scene, was not talking on his phone. Additionally, SBPA [redacted] confirmed in his interview with OPR investigators that he never spoke to or received any

[80] UCISD Maintenance and Operations Supervisor [redacted].

messages directly or indirectly from UCISDPD Chief Arredondo or any other law enforcement leader on scene.[81]

While discussing tactical options with other law enforcement officers in the south hallway, an unknown law enforcement officer asked if the assailant had anyone in the room with him.[82] UCISDPD Chief Arredondo replied, "I think he does…there's probably some casualties." (**12:34:07 PM**).[83] Farther down the hall, the BWCs of TXDPS [redacted] and UCSO Deputy [redacted] recorded a conversation between unidentified individuals stating that BORTAC was on its way (**12:34:40 PM**). Near the south door, UPD Investigator [redacted] and Constable Zamora discussed their awareness of a student on the phone inside the classroom with the assailant (**12:34:55 PM**).

At **12:35:22 PM**, Constable Zamora's BWC captured him explaining his understanding of the situation at that moment to TXDPS Lieutenant [redacted] outside the south door:

TXDPS Lieutenant [redacted]:	*"So, so how many law do we have in there? How many law?"* (**12:35:24 PM**)
Constable Zamora:	*"Officers?"* (**12:35:25 PM**)
TXDPS Lieutenant [redacted]:	*"Yes sir, do you know how many?"* (**12:35:26 PM**)
Constable Zamora:	*"Approximately 20."* (**12:35:27 PM**)
TXDPS Lieutenant [redacted]:	*"Okay, so."* (**12:35:28 PM**)
Constable Zamora:	*"They have two stacks on each side of the door."* (**12:35:29 PM**)
TXDPS Lieutenant [redacted]:	*"But they are good on manpower."* (**12:35:30 PM**)
Constable Zamora:	*"Oh, yes sir, they are good on manpower."* (**12:35:32 PM**)
TXPDS Lieutenant [redacted]:	*"So they're just clearing the way to the backside?"* (**12:35:33 PM**)
Constable Zamora:	*"They are making sure that all kids have exited so, and the crossfire because uh they shot already through two uh two walls…"* (**12:35:35 PM**)
TXPDS Lieutenant [redacted]:	*"Right."* (**12:35:42 PM**)
Constable Zamora:	*"…and hit a teacher, so and the teacher was in a in a room closer to us."* (**12:35:42 PM**)
TXPDS Lieutenant [redacted]:	*"Where is she at, she already…"* (**12:35:45 PM**)
Constable Zamora:	*"She's over here with the EMTs and stuff, yes sir."* (**12:35:46 PM**)
TXPDS Lieutenant [redacted]:	*"Okay, so she was only one person."* (**12:35:47 PM**)
UPD Investigator [redacted]:	*"She was transported to UMH already."* (**12:35:48 PM**)
Constable Zamora:	*"To the hospital."* (**12:35:51 PM**)

[81] OPR interview of SBPA [redacted], March 16, 2023, timestamp 02:33:55. Additionally, the Texas House of Representatives Investigative Committee on the Robb Elementary Shooting, Interim Report found, "Chief Arredondo did not actually exercise tactical incident command over the BORTAC team, nor did the BORTAC team seek instruction from Chief Arredondo" (p. 76).
[82] BWC footage from TXDPS Trooper [redacted], BWC footage from UCSO Deputy [redacted].
[83] BWC footage from UPD Sergeant [redacted].

TXPDS Lieutenant [redacted]: *"Okay, she's already enroute."* (**12:35:52 PM**)
Constable Zamora: *"Yes, sir."* (**12:35:53 PM**)
TXPDS Lieutenant [redacted]: *"Only one injury that we know about?"* (**12:35:54 PM**)
UPD Investigator [redacted]: *"Two."* (**12:35:55 PM**)
TXPDS Lieutenant [redacted]: *"Two injuries."* (**12:35:55 PM**)
Unknown: *"Teacher and a child."* (**12:35:56 PM**)
UPD Investigator [redacted]: *"And another adult that's at UMH that I know about for sure. Two adults and one child from my understanding."* (**12:35:58 PM**)[84]

Constable Zamora's BWC captured him providing UCISDPD Chief Arredondo the assailant's name and showing a picture of the assailant on his cell phone to the other law enforcement officers outside the south door (**12:36:54 PM**). UPD Officer [redacted]'s BWC captured UCISDPD Chief Arredondo talking on the phone and saying, "test it on other doors first," but at that time SBPA [redacted], who was in possession of the correct master key, was not talking on the phone (**12:37:25 PM**). SBPA [redacted] was speaking to BPAs [redacted] and [redacted], who had just arrived.

Beginning at **12:37:42 PM**, UCISDPD Chief Arredondo attempted to communicate with the assailant for several minutes in English and Spanish, calling out to him by name after Constable Zamora relayed that information. UCISDPD Chief Arredondo asked the assailant to not hurt anyone and to put his firearm down. Constable Zamora said to UCISDPD Chief Arredondo, "Ranger. Ranger has the keys, Chief; Ranger on that side," as Constable Zamora pointed toward the north side of the building (**12:38:05 PM**). Talking to UPD Officer [redacted], UCISDPD Chief Arredondo said, "We're gonna test the door…and he's gonna shoot as soon as they put the key in the hole." (**12:39:47 PM**). Later, on the phone, UCISDPD Chief Arredondo said, "We understand there are some injuries in there…uh and and so what we did was clear out the rest of the building so we wouldn't have any more besides what's in there obviously but having a problem getting into the fucking room because it's locked." (**12:41:31 PM**). Constable Zamora notified UCISDPD Chief Arredondo that he had a possible phone number for the assailant and was going to call it to try to contact the assailant (**12:42:11 PM**).

At **12:42:53 PM**, UCISDPD Chief Arredondo was heard on the phone talking about the continued need to locate the correct master key. However, unbeknownst to him, SBPA [redacted] had already received and successfully tested a master key, having had it in his possession since **12:36:57 PM**. Closer to Classrooms 111 and 112 in the south hallway, UCSO Deputy [redacted]'s BWC captured similar discussions among various law enforcement officers regarding the need to locate the correct key (**12:43:11 PM**). At **12:43:26 PM**, UPD Officer [redacted]'s BWC captured UCISDPD Chief Arredondo saying, "That door, I bet you it's unlocked. I bet you it's unlocked. We tell 'em, we tell 'em, we tell 'em." Simultaneously, UPD Investigator [redacted], who

[84] BWC footage from UCSO Deputy [redacted].

was outside the south door, was heard on Constable Zamora's BWC reiterating the belief the door was locked and there was no way into the classroom (**12:44:49 PM**).

UCISDPD Chief Arredondo was still on the phone at **12:45:01 PM** and UPD Officer [redacted]'s BWC captured UCISDPD Chief Arredondo saying law enforcement officers still needed keys. UPD Lieutenant [redacted] then told UCISDPD Chief Arredondo that the keys were on the other side of the hall at the north end. At **12:45:45 PM**, the person on the phone with UCISDPD Chief Arredondo told him that the key was working. UCISDPD Chief Arredondo told the person on the phone, "If y'all are ready to do it, you do it, but someone should distract him out the window," (**12:45:51 PM**). UCISDPD Chief Arredondo later told the group of law enforcement officers closer to Classrooms 111 and 112 in the south hallway that a working key was found (**12:46:04 PM**). The BWC of TXDPS Trooper [redacted], who was part of the group closer to Classrooms 111 and 112 in the south hallway, captured the notification that a key was located.

At **12:47:17 PM**, Constable Zamora's BWC captured him telling the law enforcement officers outside the south entrance that a team was about to make entry. Most of the conversations captured by BWCs in the south hallway prior the team entering the classroom centered around the need for officers to be out of the way of a possible crossfire situation. UPD Officer [redacted] briefly exited the south hallway to transmit over the radio, "Keep an eye on top of the roof. He might have climbed on top of the ceiling." (**12:48:25 PM**). UPD Officer [redacted]'s BWC captured UCISDPD Chief Arredondo saying, "Complete surround. I don't know what's going on. The door is open." (**12:49:09 PM**). At **12:50:00 PM**, UCISDPD Chief Arredondo said, "They're going in." Gunshots were heard at **12:50:02 PM**.

PHASE III: RENDERING AID

When the team entered Classrooms 111 and 112 at **12:50:00 PM**, approximately 79 law enforcement officers were inside the building or immediately outside the south door. Approximately 27 law enforcement officers were lined up on the north side of the hallway, prepared to enter Classrooms 111 and 112, while approximately 19 law enforcement officers remained at the T-intersection, for a total of approximately 46 law enforcement officers inside the north side of the building. Of these 46 law enforcement officers, at least six were either EMTs or paramedics. Outside the south doorway, various BWCs recorded 16 law enforcement officers, including two EMTs. An additional 17 law enforcement officers were dispersed along the south hallway between Classrooms 111 and 112 and the south door, bringing the total number of law enforcement officers at the south end of the building to 33. Of the 33 law enforcement officers at the south end, at least two were EMTs.

OPR determined that the medical response plan was not effectively communicated to everyone inside the west building. Seconds prior to officers breaching Classroom 111, multiple law enforcement officers entered the north hallway from the west door, some for the first time. None of these officers were briefed on the medical response plan. OPR investigators did not identify any evidence indicating that the law enforcement officers who lined up to enter the room were made aware of the medical response plan. BPA-P [redacted] and BPAs [redacted] and [redacted] communicated the plan only to the officers at the T-intersection, away from the officers lined up

to make entry. No senior law enforcement officials were briefed on the medical response plan prior to the breach; however, in at least one instance, a senior law enforcement leader, unaware of a medical response plan taking shape at the north end of the hall, gave directions contrary to the plan to responding officers and created confusion. After the shooting stopped and the classrooms were declared clear of active threats, dozens of officers flooded into Classrooms 111 and 112 to assess the situation and assist the victims. Most of these officers were not aware of the medical response plan. TXDPS Trooper [redacted]'s BWC captured UCISDPD Chief Arredondo yelling, "Bring me the children!" (**12:50:44 PM**) following the breach.

Based on video footage and interviews with the law enforcement officers who entered Classrooms 111 and 112, the scene can only be described as horrific. In Classroom 111, officers saw a pile of children in the southwest corner of the classroom. A similar scene existed in Classroom 112, where teachers had lain on top of children trying to protect them. Many law enforcement officers stated that upon seeing such a horrific sight, they simply grabbed the closest victim they could find and tried to bring them to medical attention.

The following summarizes the known actions taken following the breach for each victim at Robb Elementary School in the order they exited Classrooms 111 and 112:[85]

[redacted] (Student, Classroom 111, Deceased): SBPA [redacted], BPA-Trainee (BPA-T) [redacted] (BRA), and an unknown BPA carried [redacted] outside through the west entrance. No treatment was provided because [redacted] had obvious signs of death.

[redacted] (Student, Classroom 111, Deceased): BPA-I [redacted], BPA [redacted], and other law enforcement officers carried [redacted] down the hallway toward the south entrance. BPA [redacted] assessed her at the south entrance of the building and determined she was deceased.

[redacted] (Student, Classroom 111, Deceased): BPA [redacted] and two other law enforcement officers initially carried [redacted] north to place him down at the west doorway; however, they immediately relocated him to the medical triage area and placed him on a backboard. SBPA [redacted] checked for a pulse. Finding none, law enforcement medics moved on to other patients while an unknown law enforcement officer remained with [redacted]. Approximately two and a half minutes later, BPA [redacted] reassessed [redacted] and found what he believed was a pulse. BPA [redacted] reassessed [redacted] and, with BPAs [redacted] and [redacted], began lifesaving measures. [redacted] was transferred onto a gurney and BPA [redacted], other law enforcement officers, and civilian medical personnel rolled him to the parking lot near the southwest corner of the school for a helicopter transport. While awaiting the helicopter transport, medical personnel continued to treat [redacted] until he was taken to an awaiting ambulance, where he succumbed to his injuries.

[85] The assailant's grandmother, [redacted], has been widely reported as the seventeenth injured victim in this incident. However, CBP personnel were not involved in any facet of the response at the assailant's residence, so actions at the assailant's residence were not considered during OPR's review.

[redacted] (Student, Classroom 111, Deceased): Constable Field and BPA [redacted] (DRT SOD) carried [redacted] toward the T-intersection and handed her off to civilian medical personnel, who took her to the east side of the hallway. BPA [redacted] assessed her and left her with the civilian medical personnel. Later, an unidentified Deputy U.S. Marshal, SBPA [redacted] (UVA), and BPA-I [redacted] carried her to Classroom 131, where other deceased victims were taken.

[redacted] (Student, Classroom 111, Deceased): BPA [redacted] and UCSO Deputy [redacted] carried [redacted] to the T-intersection. An unidentified TXDPS Trooper moved her to the east side of the hallway. SBPA [redacted], civilian medical personnel, and BPA [redacted] all checked on [redacted] over the course of several minutes. BPA [redacted] and BPA [redacted] eventually applied bandages and performed chest compressions on her. An unknown TXDPS Trooper and SBPA [redacted] carried [redacted] out on a backboard to awaiting ambulances.

[redacted] (Student, Classroom 111, Deceased): BPA [redacted] and an unidentified Deputy U.S. Marshal carried [redacted] to the T-intersection near Classroom 131. BPAs [redacted] and [redacted] (BRA) assessed him near the door to Classroom 131 and determined he was deceased. BPA [redacted] moved [redacted] into Classroom 131, where other deceased victims were taken.

[redacted] (Teacher, Classroom 111, Injured): An unidentified TXDPS Trooper, TXDPS CID SA [redacted], and an unidentified law enforcement officer carried [redacted] toward the T-intersection and stopped at the east side of the hallway just past the triage area. Later, an unidentified BPA, an unidentified law enforcement officer, and civilian medical personnel treated [redacted] there. After hearing calls for assistance, BPA [redacted] and three other unidentified law enforcement officers carried [redacted] out the east door toward the school's half-circle driveway on Old Carrizo Road, where an unoccupied ambulance was parked. BPA [redacted] and an unidentified firefighter transported [redacted] to Uvalde Memorial Hospital in the unoccupied ambulance.

[redacted] (Student, Classroom 112, Injured): [redacted] ran out of the classroom and was escorted by an unidentified law enforcement officer before being handed off to TXDPS Trooper [redacted] near the T-intersection. TXDPS Trooper [redacted] and an unidentified Deputy U.S. Marshal took [redacted] to the east side of the hallway just past the triage area. The unidentified Deputy U.S. Marshal assessed [redacted] and stabilized his gunshot wound while TXDPS Trooper [redacted] remained with him to comfort him. Once stabilized, an unidentified TXDPS Trooper and BPA [redacted] (BRA) took [redacted] out of the building through the west door to an ambulance.

[redacted] (Student, Classroom 112, Injured): [redacted] ran out of the classroom and was received by Constable Field. Constable Field assessed [redacted] and took him to Classroom 132. Shortly afterward, Constable Field asked for an EMT, and an unknown BPA entered the classroom. Later, Constable Field, the unknown BPA, and [redacted] exited Classroom 132 and went out through the west door to an ambulance.

[redacted] (Student, Classroom 112, Injured): [redacted] ran out of the classroom and was escorted by SBPA [redacted] out the west door to a school bus.

[redacted] (Student, Classroom 112, Injured): [redacted] ran out of the classroom and was received by BPA [redacted] and Special Operations Supervisor (SOS) [redacted] (UVA). Along with others, [redacted] was taken out the west door to a school bus.

[redacted] (Student, Classroom 112, Injured): [redacted] ran out of the classroom and was received by BPA [redacted] and SOS [redacted]. Along with others, [redacted] was taken out the west door to a school bus.

[redacted] (Student, Classroom 112, Injured): [redacted] ran out of the classroom and was escorted by TXDPS Ranger [redacted] out the west door to a school bus.

[redacted] (Student, Classroom 112, Injured): BPA [redacted] carried [redacted] out of the classroom, assisted by BPA-T [redacted] and BPA [redacted]. BPA [redacted] and SBPA [redacted] assessed [redacted] and stabilized her gunshot wounds before carrying her to an ambulance with BPA [redacted]'s assistance.

[redacted] (Student, Classroom 111, Deceased): BPA [redacted] (DRT SOD) carried [redacted] from Classroom 111 and handed her off to SBPA [redacted] (DRT SOD). SBPA [redacted] carried [redacted] to Classroom 131, where other deceased victims were taken.

[redacted] (Student, Classroom 111, Deceased): An unknown TXDPS CID SA carried [redacted] and met BPA [redacted] at the T-intersection. BPAs [redacted] and [redacted] assessed [redacted] in the hallway near the west door. BPA [redacted] removed his shirt and handed it to SBPA [redacted] to cover [redacted]. [redacted] was carried to Classroom 132, where some deceased victims were taken.

[redacted] (Student, Classroom 111, Deceased): TXDPS Trooper [redacted] and two other unidentified law enforcement officers carried [redacted] to Classroom 131, where other deceased victims were taken.

[redacted] (Student, Classroom 112, Injured): [redacted] ran out of the classroom and was escorted by TXDPS Trooper [redacted] and an unidentified TXDPS Trooper to the T-intersection. SOS [redacted] received [redacted], along with others, and took them out the west door to a school bus. While on the school bus, [redacted] complained of injury to TXDPS Trooper [redacted], who triaged and treated his gunshot wounds until the bus arrived at Uvalde Memorial Hospital, where he received higher-level medical care.

[redacted] (Student, Classroom 112, Injured): [redacted] ran out of the classroom and was escorted by TXDPS Trooper [redacted] and an unidentified TXDPS Trooper to the T-intersection. SOS [redacted] received [redacted], along with others, and took them out the west door to a school bus.

[redacted] (Student, Classroom 112, Injured): [redacted] ran out of the classroom and was escorted by TXDPS Trooper [redacted] and an unidentified TXDPS Trooper to the T-intersection. BPA [redacted] received [redacted], along with others, and took them out the west door to a school bus. While on the school bus, [redacted] complained of injury to TXDPS Trooper [redacted], who triaged and treated her gunshot wounds until the bus arrived at Uvalde Memorial Hospital, where she received higher-level medical care.

[redacted] (Student, Classroom 111, Deceased): BPA-I [redacted] and BPA [redacted] carried [redacted] to Classroom 132, where some deceased victims were taken.

[redacted] (Student, Classroom 111, Deceased): BPA [redacted] (CAR) and TPWD Game Warden [redacted] carried [redacted] to Classroom 132, where some deceased victims were taken.

[redacted] (Student, Classroom 112, Deceased): BPA [redacted] and an unidentified BPA carried [redacted] to the T-intersection. An unknown Deputy U.S. Marshal assessed [redacted] and determined she was deceased. BPA-T [redacted] and BPA [redacted] moved [redacted] to Classroom 132, where some deceased victims were taken.

[redacted] (Student, Classroom 112, Deceased): An unknown Deputy U.S. Marshal and an unknown BPA moved [redacted] to the T-intersection. TXDPS Trooper [redacted] assessed [redacted] and determined she was deceased. BPA [redacted] and BPA [redacted] (BRA) moved [redacted] to Classroom 132, where some deceased victims were taken.

[redacted] (Teacher, Classroom 112, Deceased): BPAs [redacted] and [redacted], along with other unidentified law enforcement officers, carried [redacted] from Classroom 112 to an area just outside the west door. TXDPS [redacted]'s BWC captured BPA [redacted] helping to treat [redacted]. [redacted] was taken to an ambulance.

The following victims remained in Classroom 112:[86]

[redacted] (Student, Classroom 112, Deceased): BPA-P [redacted] assessed [redacted] in Classroom 112, determined she was deceased, and did not transport her.

[redacted] (Student, Classroom 112, Deceased): BPA-P [redacted] assessed [redacted] in Classroom 112, determined she was deceased, and did not transport her.

[redacted] (Teacher, Classroom 112, Deceased): BPA-P [redacted] assessed [redacted] in Classroom 112, determined she was deceased, and did not transport her.

[redacted] (Student, Classroom 112, Deceased): BPA-P [redacted] assessed [redacted] in Classroom 112, determined she was deceased, and did not transport her.

[86] OPR interview of BPA-P [redacted], March 8, 2023, timestamp 0:54:25; BWC footage from BPA [redacted].

[redacted] (Student, Classroom 112, Deceased): BPA-P [redacted] assessed [redacted] in Classroom 112, determined she was deceased, and did not transport her.

[redacted] (Student, Classroom 112, Deceased): BPA-P [redacted] assessed [redacted] in Classroom 112, determined she was deceased, and did not transport her.

[redacted] (Student, Classroom 112, Deceased): BPA-P [redacted] assessed [redacted] in Classroom 112, determined she was deceased, and did not transport her.

The following victims were injured during other parts of the incident:

[redacted] (Student, Classroom 109, Injured): As the assailant fired rounds in and around Classrooms 111 and 112, stray bullet fragments went through the walls of Classroom 110 and struck [redacted] in Classroom 109. [redacted] escaped from Classroom 109 through the window with the assistance of law enforcement officers.

[redacted] (Teacher, Classroom 109, Injured): As the assailant fired rounds in and around Classrooms 111 and 112, stray bullet fragments went through the walls of Classroom 110 and struck [redacted] in Classroom 109. [redacted] escaped from Classroom 109 through the window with the assistance of law enforcement officers.

BPA [redacted] (Law Enforcement Officer, Injured): During the shots fired at **12:50:00 PM**, BPA [redacted], who was in the hallway near the door to Classroom 111, was injured by stray bullet fragments that likely came through the wall when the assailant opened fire. BPA [redacted] was assisted out the south entrance of the building and taken to the hospital by BPA [redacted] (UVA) in a USBP vehicle.

UPD Lieutenant [redacted] (Law Enforcement Officer, Injured): UPD Lieutenant [redacted] was one of the first law enforcement officers on scene. As he approached the doors to Classrooms 111 and 112, the assailant, from inside one of the classrooms, shot toward the door of Classroom 111 at **11:37:00 AM**. The assailant's shots turned fragments of the metal door into projectiles, injuring UPD Lieutenant [redacted]. UPD Lieutenant [redacted] remained on scene for the duration of the incident.

UPD Staff Sergeant [redacted] (Law Enforcement Officer, Injured): UPD Staff Sergeant [redacted] was one of the first law enforcement officers on scene. As he approached the doors to Classrooms 111 and 112, the assailant, from inside one of the classrooms, shot toward the door of Classroom 111 at **11:37:00 AM**. The assailant's shots turned fragments of the metal door into projectiles, injuring UPD Staff Sergeant [redacted]. UPD Staff Sergeant [redacted] remained on scene for the duration of the incident.

PHASE IV: POST-INCIDENT RESPONSE

As the events at Robb Elementary School unfolded, law enforcement officers, including CBP personnel, continued to respond to the Uvalde area to provide assistance. Responding from other activities on duty, as well as off duty, CBP personnel worked at the request of local law

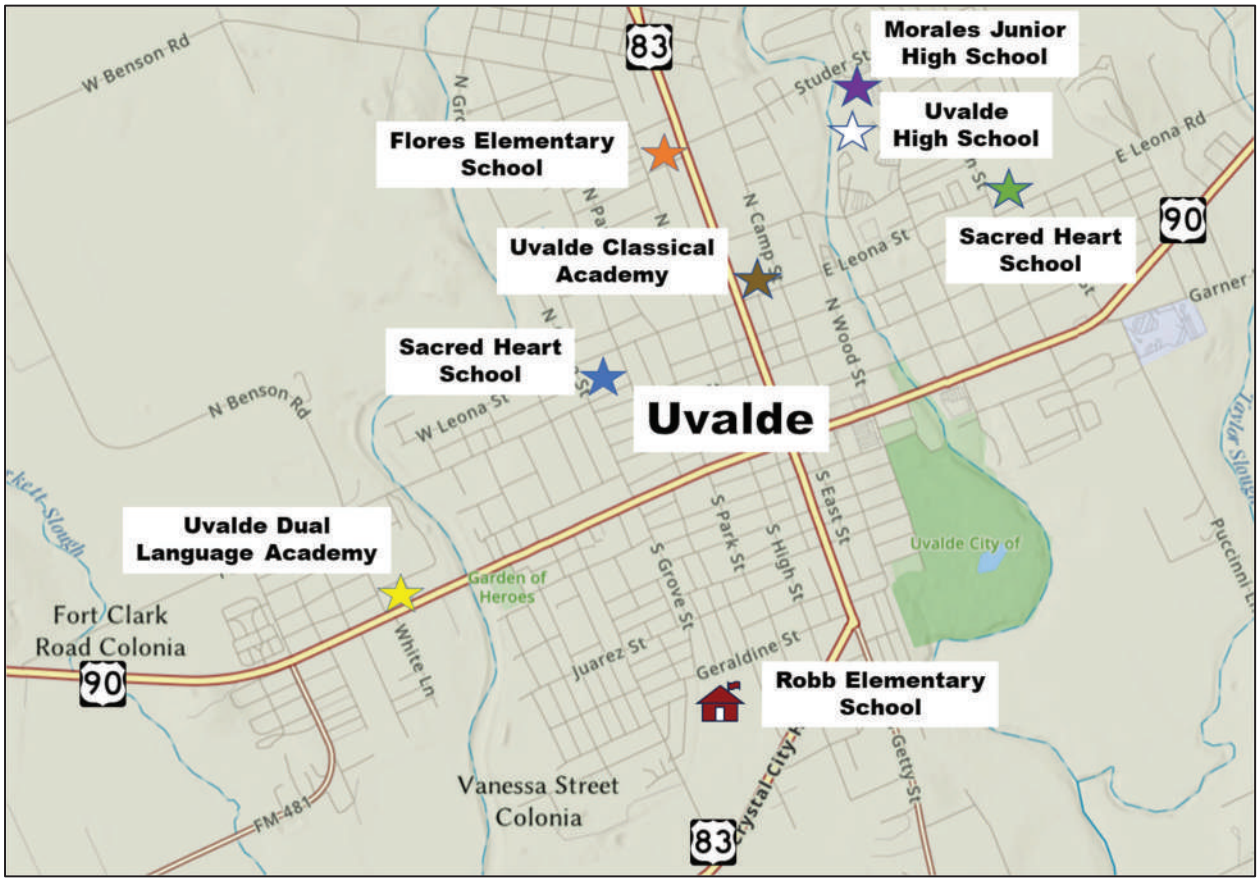
enforcement to mitigate the safety and logistical concerns arising from the incident and to fill operational gaps. This included keeping the public at a safe distance from the Robb Elementary School, assisting other Uvalde-area schools to dismiss students in a safe and orderly manner, and helping parents reunite with their children at the SSgt. Willie de Leon Civic Center in Uvalde.

Anxious parents and other concerned citizens gathered at the Hillcrest Memorial Funeral Home across the street from Robb Elementary School. At times, the crowd became angry and ignored law enforcement commands to stay back. During one such instance, a woman ran into BPA-T [redacted] (BRA) in an effort to get past him to reach a child she believed was her [redacted] Believing she might fall, BPA-T [redacted] wrapped his arms around the woman to avoid her being injured.[87] BPA-T [redacted] stated he did not believe the woman meant him any harm, so he chose to absorb the impact and prevent injury to the woman.[88] An unknown TXDPS Trooper took the woman aside and spoke with her as she sat on the ground. OPR's review did not identify any other instances where CBP personnel came into physical contact with the public.

Following the events at Robb Elementary School, a possible second threat was identified at approximately **2:00:00 PM**. This threat, identified through social media, alleged that the assailant's suspected girlfriend was going to "finish the job" and prompted law enforcement officials from multiple agencies to send all available law enforcement officers to various schools to provide security in support of the orderly dismissal of students. In all, 71 CBP personnel responded to schools in the Uvalde area.

When CBP personnel arrived at the various schools, some were on lockdown, while others had students congregated in gymnasiums or cafeterias. Not knowing the specifics of the threat, some CBP personnel, along with other law enforcement officers, entered the schools and proceeded through the hallways and rooms to ensure no threats were active at the schools. Once law enforcement officers established that the schools were safe, they assisted with the orderly dismissal of students to their parents. All schools were completely dismissed by **5:00:00 PM.**

[87] OPR interview of BPA [redacted], March 2, 2023, timestamp 01:33:33.
[88] *Id.*



Map Source: USBP GIS

Figure 12. Uvalde Area Schools Where Law Enforcement Responded

In an effort to keep families away from Robb Elementary School, which was still an active crime scene, the Civic Center was utilized as a reunification site. At **12:23:09 PM**, UPD Lieutenant [redacted] transmitted over his radio, "Advise the parents, all children are going to be bused to the Civic Center and released there." As students were evacuated from Robb Elementary School, they were loaded onto buses and taken to the Civic Center, where they were to be picked up by their parents or guardians. Because large crowds began to gather at the Civic Center, law enforcement officers, including CBP personnel, provided security around the building and allowed only students' parents or guardians into the building.

May 24, 2022, was also the day of a primary run-off election and the Civic Center was one of the polling locations. At some time during the day, voting ceased in response to the shooting, but some members of the public, unaware of the shooting, attempted to enter the Civic Center to vote. Law enforcement officers, including CBP personnel, denied these people entry into the Civic Center.

As victims were transported to Uvalde Memorial Hospital, crowds began to gather there with anxious family members arriving and searching for loved ones when they could not be found at

the Civic Center. Law enforcement officers, including CBP personnel, provided security and traffic control at the hospital to keep the area safe and accessible to emergency vehicles. Inside the hospital, hospital staff asked BPAs to assist with escorting family members to a room to identify deceased children. BPAs [redacted] (DRT SOD) and [redacted] (DRT SOD), who were at the hospital to check on BPA [redacted]'s condition, assisted hospital staff with this request; however, after escorting a few families, they notified hospital staff they were not comfortable continuing with this duty.

AIR AND MARINE OPERATIONS ACTIVITIES

On May 24, 2022, three CBP Air and Marine Operations (AMO) helicopters supported the response at Robb Elementary School. All three helicopters were Airbus A-Star AS-350 Light Enforcement Helicopters, with a maximum speed of 156 miles per hour, maximum range of 414 miles, and maximum endurance of three hours. Although these specifications provided by the manufacturer represent maximum performance, multiple factors affect an aircraft's performance, such as winds, payload, and the age of the aircraft. Typically, a crew consisting of one or two people operate the aircraft, with room for no more than four passengers. Because of the additional sensors and equipment onboard, CBP variants of the AS-350 helicopter typically only have room for no more than three passengers. As a matter of practice, chemicals such as oleoresin capsicum (OC) spray and explosives are not flown on CBP aircraft for safety reasons.

The first helicopter (Helo 1) in service that responded to the incident at Robb Elementary School was flown by AIA [redacted] (AMO Del Rio, Texas). AIA [redacted] was flying alone 46 miles from Robb Elementary School near [redacted] in Maverick County, Texas, in support of BORTAC agents apprehending a group of suspected migrants.[89] AIA [redacted] had just refueled his aircraft and was above the BORTAC agents at approximately **11:40:00 AM** when he heard a call over the radio regarding a possible shooting in Uvalde. AIA [redacted] did not know the exact location or severity of the incident. Because his was the closest helicopter at the time, he was directed by an unknown person from Del Rio Sector Communications to leave the BORTAC agents and fly toward Uvalde. AIA [redacted] stated that had he known the severity and nature of the incident, he would have immediately landed, picked up two or three BORTAC agents, and brought them with him to Uvalde.[90]

Flying at top speed, AIA [redacted]'s flight time from [redacted] to Uvalde took approximately 20 minutes. Upon entering the Uvalde area at approximately **12:00:00 PM**, an unidentified BPA directed AIA [redacted] to the vicinity of Robb Elementary School over the radio. As AIA [redacted] got closer to the school, he began to understand the severity of the incident as an active shooter situation. AIA [redacted] decided not to fly back to [redacted] to pick up BORTAC agents because doing so would take approximately 40 minutes round trip and his was the only helicopter on scene when he arrived.[91] AIA [redacted] flew over the school, providing aerial observation of the scene at an altitude of approximately 150 feet. After flying on scene for approximately 20

[89] OPR interview of AIA [redacted], August 2, 2023, timestamp 00:29:30.
[90] *Id.* at timestamp 00:27:40.
[91] *Id.* at timestamp 00:29:04.

minutes, a TXDPS helicopter flown by two crew members and equipped with a camera contacted AIA [redacted]. Because two helicopters operating in the same airspace is dangerous and the TXDPS helicopter was more capable, AIA [redacted] flew his helicopter to the CBP Air Branch at Uvalde Airport. By that time, AIA [redacted] was aware that a certified CBP Aircrew Rifleman (ACR) and ACR pilot were headed to Uvalde.[92] He remained at the airport for a few hours awaiting direction before returning to Del Rio at approximately **4:00:00 PM**.[93]

The second CBP helicopter (Helo 2) in service was flown by AIA [redacted] (AMO Del Rio, Texas). At approximately **11:45:00 AM**, AIA [redacted] was flying 46 miles from Robb Elementary School near Carrizo Springs, Texas, in support of BPAs tracking a group of suspected migrants.[94] Aviation Enforcement Agent (AEA) [redacted] (AMO Del Rio, Texas) was also onboard. AEA [redacted] was outside the aircraft assisting BPAs with a group of suspected migrants when AIA [redacted], who was hovering overhead, heard on the aircraft radio about a shooting in Uvalde. AIA [redacted] told AEA [redacted] he was landing the aircraft for AEA [redacted] to reboard.

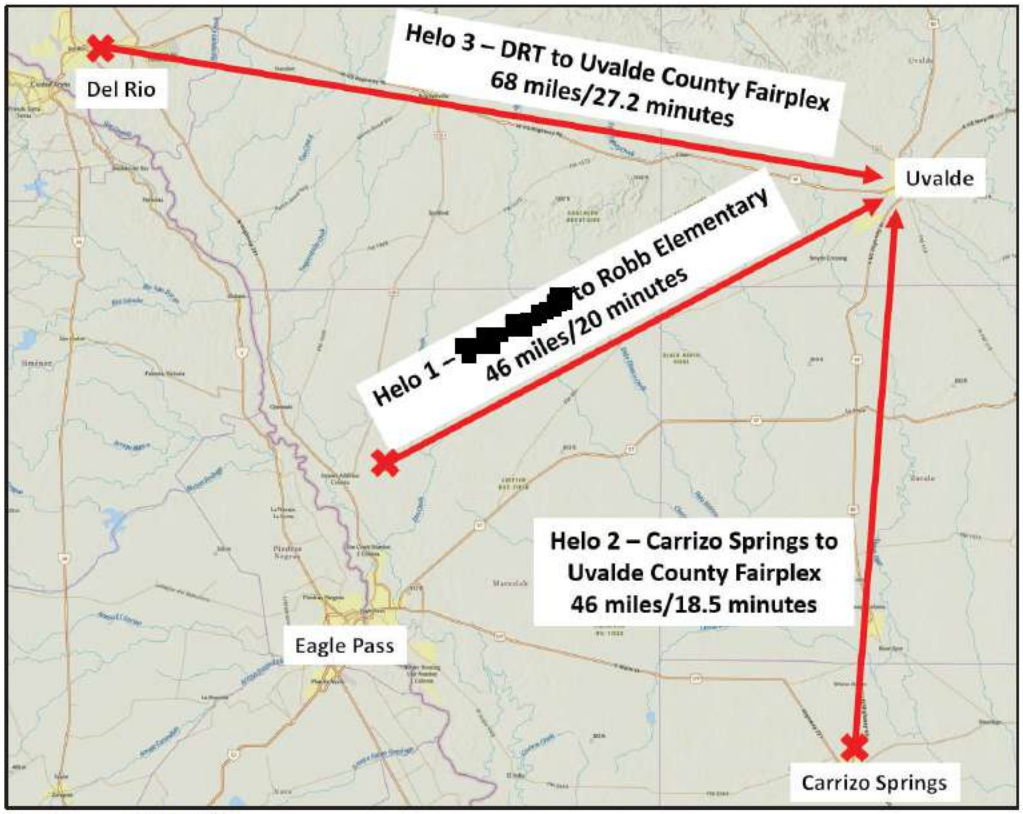
Because of the amount of time the helicopter had been assisting the BPAs in Carrizo Springs, it needed to be refueled. Based on AIA [redacted]'s experience, he determined it would be quicker to refuel at CAR than in Uvalde.[95] AIA [redacted] and AEA [redacted] flew to CAR to refuel, then continued to Uvalde. They arrived at the Uvalde County Fairplex at approximately **12:35:00 PM** to bring onboard AEA [redacted] (AMO Del Rio, Texas) because AEA [redacted] was a certified ACR and AIA [redacted] was a certified ACR pilot. The distance between CAR and the Uvalde County Fairplex was 46 miles, so flying at top speed, it would have taken approximately 18.5 minutes to fly between the two places.

Upon arriving in the airspace above Robb Elementary School, AEA [redacted] attempted to use his 6x magnification rifle scope to look inside Classroom 111 through a window, but the room was too dark to see anything inside. After seeing injured victims being carried from the building and hearing the scene was safe over the radio, AIA [redacted] decided to fly to the CBP Uvalde Air Branch to clear the airspace for emergency medical service air units, if they were needed. The AS-350 is not equipped to carry stretchers and does not have any medical equipment onboard, so any decision to transport injured victims must consider the fact that the helicopter lacks the capabilities regularly found in an ambulance. At the CBP Uvalde Air Branch, AIA [redacted] refueled the aircraft and learned through social media about a potential threat at another Uvalde area school.[96] Learning of this threat and knowing that law enforcement officers were responding, AIA [redacted] took off and orbited around Uvalde schools to provide overwatch for law enforcement officers deployed to the schools.[97]

[92] CBP's Air and Marine Operations employs an Aircrew Rifle (ACR) program, which provides specialized training to pilots and aircrew in the use of precision marksmanship to shoot from CBP aircraft.
[93] OPR interview of AIA [redacted], August 2, 2023, timestamp 00:30:24.
[94] OPR interview of AIA [redacted], March 15, 2023, timestamp 00:09:30.
[95] *Id.* at timestamp 00:11:45.
[96] *Id.* at timestamp 00:49:45.
[97] *Id.* at timestamp 00:51:15.

The third helicopter (Helo 3) in service that responded to the incident at Robb Elementary School was flown by AIA [redacted] (AMO Del Rio, Texas). AIA [redacted] was at his office in Del Rio when his supervisor, Supervisory Air Enforcement Agent (SAEA) [redacted] (AMO Del Rio, Texas) informed him of a shooting in Uvalde at around **12:00:00 PM**. SAEA [redacted] was attempting to figure out how to pair AIA [redacted], who was flying near CAR, with AEA [redacted], who was in Del Rio. Recognizing it would save time, AIA [redacted] offered to fly AEA [redacted] to Uvalde to join AIA [redacted]. SAEA [redacted] agreed and told AIA [redacted] to prepare the helicopter while AEA [redacted] gathered his ACR equipment. The distance between DRT and the Uvalde County Fairplex was 68 miles, so flying at top speed, it would have taken approximately 27.2 minutes to fly between the two places. AIA [redacted] and AEA [redacted] arrived at the Uvalde County Fairplex at approximately **12:35:00 PM**, where AEA [redacted] joined AIA [redacted]'s aircraft. AIA [redacted] remained with his aircraft at the Uvalde County Fairplex on stand-by for approximately 45 minutes in case AIA [redacted]'s aircraft needed to refuel.

Following the breach of the classrooms, all CBP aircraft cleared the airspace above Robb Elementary School to allow for emergency medical service air units, if necessary. One helicopter remained at the Uvalde Fairplex and two helicopters were at the CBP Uvalde Air Branch. Only one helicopter, flown by AIA [redacted], took off again to fly in support of law enforcement officers responding to other Uvalde-area schools.



Map Source: USBP GIS

Figure 13. CBP Helicopter Position, Distance, and Flight Time

STANDARDS AND ANALYSIS

OPR reviewed the laws, policies, and agency training applicable to CBP personnel in effect on May 24, 2022. Additionally, OPR evaluated the actions of CBP personnel in accordance with applicable laws, policies, and agency training. OPR considered multiple facets of the response, including the legal authority to take law enforcement action in such a situation, the agency's expectations for the conduct of its employees, and the training CBP provides its employees for situations such as the one at Robb Elementary School.

AUTHORITY

Statutes & Policies

There is no authoritative statute that governs all scenarios involving federal law enforcement and the enforcement of state law. Pursuant to 19 U.S.C. § 1589a and 8 U.S.C. § 1357, CBP officers/agents have the authority to make arrests for federal crimes committed in the officer/agent's presence and for federal felonies if the officer/agent has reasonable grounds to believe that the person to be arrested has committed such felony.[98] These authorities are only applicable for the enforcement of federal laws.

CBP, like all federal law enforcement agencies, does not possess statutory authority to enforce state or local law. Any state law enforcement authority is contingent on whether the state has conveyed peace officer status on the federal officers/agents or otherwise provided authority to enforce state law via some other legal mechanism, including, but not limited to, deputation and citizen arrest authority. Generally, when peace officer status is conveyed, peace officers can make arrests for state felonies based on probable cause and for state misdemeanors committed in the peace officer's presence.

Texas has not conveyed peace officer status on CBP officers/agents. Narrow authority exists in the Texas Code of Criminal Procedure for a CBP officer/agent to detain a person suspected of public intoxication, driving while intoxicated, intoxication assault, or intoxication manslaughter only while physically at a port of entry. Title 1, Chapter 2, Article 2.112(c) of the Texas Code of Criminal Procedure states:

> Art. 2.122. SPECIAL INVESTIGATORS. (c) A Customs and Border Protection Officer or Border Patrol Agent of the United States Customs and Border Protection or an immigration enforcement agent or deportation officer of the Department of Homeland Security is not a peace officer under the laws of this state but, on the premises of a port facility designated by the commissioner of the United States Customs and Border Protection as a port of entry for arrival in the United States by land transportation from the United Mexican States into the State of Texas or at a permanent established border patrol traffic check point, has the authority to detain

[98] 8 U.S.C. § 1357 may be utilized only if the officer is performing duties related to immigration enforcement at the time of the arrest, and if there is no time for the officer/agent to obtain a warrant.

> a person pending transfer without unnecessary delay to a peace officer if the agent or officer has probable cause to believe that the person has engaged in conduct that is a violation of Section 49.02, 49.04, 49.07, or 49.08, Penal Code, regardless of whether the violation may be disposed of in a criminal proceeding or a juvenile justice proceeding.

Absent any peace officer status, Texas law allows any person, including members of the general public, to arrest an offender if the offense is classified as a felony. Title 1, Chapter 14, Article 14.01(a) of the Texas Code of Criminal Procedure states:

> Art. 14.01. OFFENSE WITHIN VIEW. (a) A peace officer or any other person, may, without a warrant, arrest an offender when the offense is committed in his presence or within his view, if the offense is one classed as a felony or as an offense against the public peace.

Additionally, Title 1, Chapter 2, Article 2.14 of the Texas Code of Criminal Procedure states:

> Art. 2.14. MAY SUMMON AID. Whenever a peace officer meets with resistance in discharging any duty imposed upon him by law, he shall summon a sufficient number of citizens of his county to overcome the resistance; and all persons summoned are bound to obey.

Under Texas Code of Criminal Procedure Article 2.14, a Texas peace officer may request assistance from the public in relation to discharging the Texas peace officer's duties imposed by law.

Federal law enforcement agencies may have authority to enforce state law through a Memorandum of Understanding (MOU) with state or local law enforcement, when permissible under state law, or when a "law enforcement emergency" exists and federal assistance is permitted and needed. "Actual need" is defined generally as "when state and local resources are inadequate to protect lives or to enforce criminal law."[99] Both of these examples require advance planning or authorization, which did not exist on May 24, 2022.

The USBP's *Law of Arrest, Search & Seizure Manual M-69* (M-69) is a 40-year-old document issued by the former Immigration and Naturalization Service (INS). M-69 outlines the administration and enforcement of laws relating to "the immigration and naturalization of

[99] Under the *Emergency Federal Law Enforcement Assistance Act (EFLEA)*, the Attorney General of the United States may aid state and local units of government in case of a "law enforcement emergency." A law enforcement emergency is defined as "an uncommon situation which requires law enforcement, which is or threatens to become of serious or epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law." The Department of Justice has promulgated regulations under the EFLEA governing the process to be followed by a state governor or chief state executive when requesting federal assistance. The regulations require, among other things, the requesting state to identify the specific federal resources required to respond to the emergency.

aliens."[100] Despite referencing an agency that no longer exists, M-69 has never been formally retracted. USBP still references M-69 as a manual articulating its authorities.

M-69 also addresses the fact that some states offer peace officer status to "INS officers stationed in that state."[101] It goes on to address the intersection of federal and state law, specifically the expectation that INS officers are to cooperate with local and state officers. Such cooperation includes "enforcing local law where the matter is serious and the need to act is imperative."[102]

When the local matter is a felony or violent misdemeanor cognizable under state law, M-69 directs "that the agent will take reasonable action as a law enforcement officer to prevent the crime and/or arrest the violator."[103] Importantly, M-69 correctly articulates that such action in the absence of specific peace officer authority is simply that of an "ordinary citizen."[104] Therefore, M-69 requires that federal law enforcement officials be thoroughly familiar with applicable state laws in their jurisdiction.[105] M-69 states that INS "will fully support an agent's reasonable actions," and that agents will be regarded as having acted within the course and scope of their employment.[106]

When federal law enforcement officers desire representation in a criminal and/or civil proceedings related to actions purportedly taken within the scope of their employment, they must first submit a written request for representation by the U.S. Department of Justice (DOJ) to the agency official designated to review such requests.[107] Unless it is "clearly unwarranted," the designated agency official submits to the DOJ a statement of its findings regarding whether the agency believes the employee was acting within the scope of employment and its recommendation for or against providing representation. The DOJ then reviews the request and determines whether the employee's actions appear to be within their scope of employment and whether it is in the interest of the United States to provide representation to the employee.

CBP lacks the authority to make assurances of federal support or determinations of scope of employment. Scope of employment determinations are solely the responsibility of the DOJ.[108] Legally, CBP officers/agents acting to enforce a state or local law do so as private citizens without any guarantee of federal representation, regardless of the assertions made in M-69. A supervisor's order or directive to act does not absolve individual CBP officers/agents from

[100] *The Law of Search Manual: The Law of Arrest, Search & Seizure Manual M-69*, Immigration and Naturalization Service, Office of the General Counsel, p. 4 (January 1983).
[101] *Id.* at p. 6.
[102] *Id.* at p. 36.
[103] *Id.*
[104] *Id.*
[105] *Id.*
[106] *Id.*
[107] See 28 C.F.R. § 50.15, Representation of federal officials and employees by Department of Justice attorneys or by private counsel furnished by the DOJ in civil, criminal, and congressional proceedings in which Federal employees are sued, subpoenaed, or charged in their individual capacities.
[108] *Id*.

responsibility for their actions or guarantee that the DOJ will provide them with legal representation in any criminal or civil proceedings stemming from the officer's action.

Even in a situation where:

1) A supervisor orders and employee to act, and
2) Agency officials validate and affirm to the DOJ the supervisor gave the employee an order to act,

The DOJ is not guaranteed to find the act was within the scope of employment and provide legal representation.

Whether a CBP law enforcement officer self-deploys or is ordered to respond to an incident, either on or off duty, each request for legal representation will be reviewed the same way, by an independent third party at the DOJ. When deciding whether to take action to enforce a state or local law, each CBP officer/agent must individually decide whether to act with the knowledge that their actions may not be considered within the scope of their employment, thereby potentially denying them legal representation by the DOJ.

In the weeks and months following the incident at Robb Elementary School, 45 CBP personnel submitted a request for legal representation by the DOJ. At the time of this writing, the DOJ has not granted any of the requests for a scope of employment determination regarding the actions of CBP personnel on May 24, 2022.

Response

A bedrock principal of constitutional policing is ensuring that actions taken by law enforcement officers are within their statutory authority and in accordance with the principles set forth in the U.S. Constitution. Basic training provided to CBP law enforcement officers begins like training at most police agencies, with a clear explanation of the agents'/officers' statutory authority and jurisdiction. Because of the criticality of swiftly responding to active shooter incidents, it is important that all responding personnel have a clear understanding of their authority and of how their agency would engage in an incident outside their jurisdiction. To the extent CBP intends to continue to direct its personnel to respond to active shooter situations that lack a clear federal nexus, CBP must ensure a framework exists that formally authorizes its personnel to engage in such situations and seek assurances that they will be protected from civil and criminal liability for acting within the scope of their employment. This will likely require either a legislative solution or modification of DOJ's procedures for scope of employment determinations.

Over 100 CBP law enforcement officials responded to the school in a variety of capacities, and none of them were able to explain to OPR under what authority they were acting on May 24, 2022. CBP personnel's articulation of their authority to respond to an active shooter incident off federal property varied widely. Responses included the authority to take action against a felony occurring in the agent's presence, a moral imperative to preserve life, and a belief that they had the authority to support state and local law enforcement efforts. Several OPR interviewees spoke

of the informal nature of interagency cooperation between USBP and local law enforcement agencies in USBP DRT. In Uvalde, it was common practice to assist local law enforcement, despite the lack of a formal written MOU between USBP and local law enforcement agencies.[109] In fact, at both the USBP station and sector levels, agreements were never reduced to writing according to USBP Del Rio Sector managers interviewed.[110] OPR concluded that CBP personnel do not have a clear understanding of their authority to respond to an active shooter incident in a non-federal setting because there is no clear statutory or regulatory framework that supports a federal law enforcement response to active shooter incidents outside of those that occur on federal property.

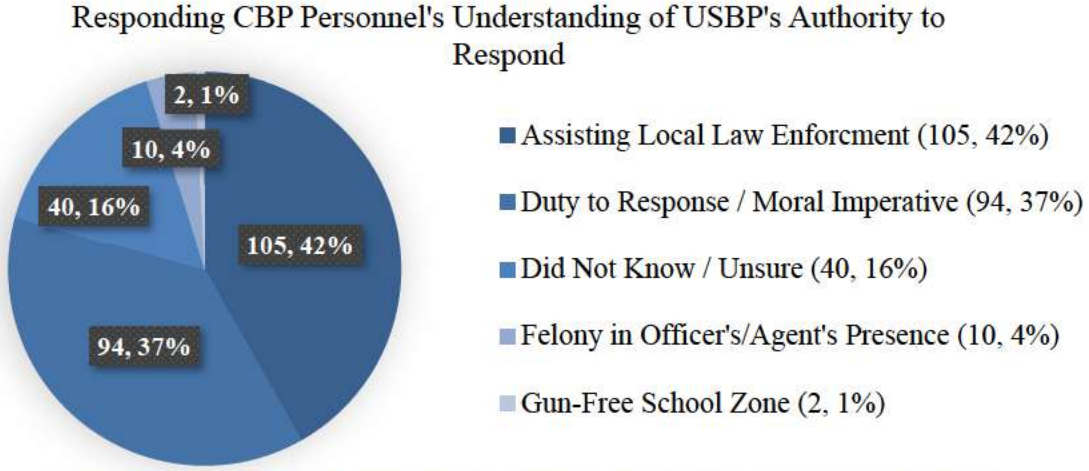


Figure 14. Responding CBP Personnel's Understanding of USBP's Authority to Respond (NOTE: Some CBP personnel provided more than one response)

Absent specific statutory authority or any formal agreement, CBP law enforcement officers lacked explicit authority to respond to the incident at Robb Elementary School to assist state and local authorities. OPR's review of radio communications did not reveal a specific request for CBP assistance over the radio. However, BPA [redacted], UVA, who was assigned to work in the radio room at UVA, told OPR investigators he received a call from UPD requesting USBP assistance at Robb Elementary School at approximately **11:45:00 AM**.[111] Additionally, the written statement TXDPS Ranger [redacted] provided to TXDPS investigators following the incident at Robb Elementary School stated that upon his arrival, he coordinated with the BORTAC agent on scene and requested he [the BORTAC agent] assume tactical control of the officers inside the hallway.[112] The only BORTAC agent on scene when TXDPS Ranger [redacted] arrived at Robb Elementary School was SBPA [redacted]. Irrespective of the Texas Code of

[109] OPR interview of WC [redacted], March 2, 2023, timestamp 08:56:50.
[110] OPR interview of DCPA [redacted], March 17, 2023, timestamp 03:11:03. Email from CPA Jason Owens, March 16, 2023.
[111] OPR interview of BPA [redacted], February 28, 2023, timestamp 00:31:20.
[112] TXDPS interview of TXDPS Ranger [redacted], June 7, 2022.

Criminal Procedure, state and local law enforcement lack the legal authority "to summon" a federal law enforcement officer, including CBP personnel.[113]

OPR considered the assertion that the Gun-Free School Zones Act of 1990 provided CBP personnel the authority to respond to the incident at Robb Elementary School on May 24, 2022. The Act makes it a federal crime to knowingly possess a firearm in a school zone.[114] The penalty for violating the Gun-Free School Zones Act involves a fine of not more than $5,000, imprisonment for up to 5 years, or both.[115] The Act specifically defines a school as a public, parochial, or private school providing elementary or secondary education.[116] Although the incident at Robb Elementary School on May 24, 2022, fell within the scope of the Gun-Free School Zones Act of 1990, relying on the Act for statutory authority is insufficient moving forward. The narrow scope of the Act applies to incidents involving firearms at schools. It does not address the larger threat of mass violence using weapons other than firearms, such as knives or improvised explosive devices, or occurring at locations other than schools, such as preschools or shopping malls.

USE OF FORCE

Policy

The CBP Use of Force Policy (UOF Policy) dated January 2021 is the authoritative reference for firearms procedures and use of force-related issues.[117] It provides guidance and parameters under which force may be used, as well as the levels of oversight when force is used, and the ongoing training and demonstration of decision-making and skills surrounding the use of force. By conforming to standard use of force policies, procedures, training, and equipment, authorized CBP officers/agents can more effectively protect themselves and the public they serve.

The CBP UOF Policy states:

> A respect for human life and the safety of the communities we serve, as well as CBP's officers and agents, is paramount and shall guide all employees in the performance of their duties. In all instances, covered in the UOF Policy, of note, Authorized Officers/Agents shall only use objectively reasonable and necessary force to effectively bring an incident under control, while minimizing the risk of injury for all involved parties. The use of excessive force by CBP law enforcement personnel is strictly prohibited. This Policy establishes the minimum CBP policy standards regarding the use of force. CBP offices may establish additional policy guidance where they deem necessary, in accordance with the

[113] U.S. Const. art. 6, cl. 2.
[114] 18 U.S.C. § 922(q).
[115] 18 U.S.C. § 924(a)(4).
[116] 18 U.S.C. § 921(a)(26).
[117] CBP Use of Force Policy, Law Enforcement Safety and Compliance Directorate, Operations Support, 4500-002A (January 2021).

> minimum standards articulated in this Policy. … Violation of the UOF Policy may constitute grounds for disciplinary action.[118]

Response

This critical incident review is not intended to definitively determine the appropriateness of the force used by CBP personnel during the incident. Under CBP policy, uses of force by CBP personnel resulting in serious bodily injury or death and those involving the discharge of a firearm will be presented to a CBP National Use of Force Review Board to independently determine if the use of force was consistent with CBP policy. That body will determine whether this use of force was within policy. National Use of Force Review Board results are shared with the public on CBP's public webpage.

INCIDENT COMMAND SYSTEM

Training

OPR reviewed incident command policy and training documents, including:

- IS-100.C: Introduction to the Incident Command System, ICS 100.
- IS-200.C: Basic Incident Command System for Initial Response, ICS 200.
- IS-700.B: An Introduction to the National Incident Management System.
- IS-800.D: National Response Framework, An Introduction.[119]
- CBP Lead Field Coordinator Course Presentation.

Because of the absence of instruction regarding working with other local, state, or federal law enforcement agencies during an incident or command and control during active shooter situations in CBP's Active Shooter Instructor Training Program (ASITP), OPR personnel discussed CBP's implementation of the National Incident Management System (NIMS) under Homeland Security Presidential Directive 5 (HSPD-5) with the CBP program manager responsible for the program, Branch Chief (BC) [redacted], in August 2023. NIMS is the framework by which coordination occurs during an incident involving multiple agencies. One component of NIMS is the ICS, which is a standardized approach to the command, control, and coordination of emergency responses that provides a common hierarchy within which responders from multiple agencies can be effectively managed.

BC [redacted] stated that CBP implements NIMS at the local level where the incident occurs. Training for the implementation of NIMS and ICS consists of four classes offered virtually through CBP's distance learning platform, Acadis Training Management System. The classes are:

[118] *Id.*
[119] IS-100.C., IS-200.C., IS-700.B., and IS-800.D. are Independent Study (IS) courses offered by the Federal Emergency Management Agency (FEMA), Emergency Management Institute (EMI).

- DHS Web-Based Training - IS-100.c: Introduction to the Incident Command System, ICS 100 (Online, 1 hour).
- DHS Web-Based Training - IS-0200.c: Basic Incident Command System for Initial Response, ICS 200 (Online, 4 hours).
- DHS Web-Based Training - IS-0700.b: An Introduction to the National Incident Management System (Online, 3.5 hours).
- DHS Web-Based Training - IS-0800.d: National Response Framework, An Introduction (Online, 3 hours).[120]

CBP's Office of Training and Development offers the following:

- Advanced Operations Training Branch (AOTB) Incident Command System Training Program-300 - ICS-300-2310 (Advanced Training Center (ATC), 24 hours, 40 minutes).
- AOTB Incident Command System Training Program-400 - ICS-400-2310 (Advanced Training Center (ATC), 24 hours).
- Local Field Coordinator course (only for senior GS-15 employees and members of the Senior Executive Service).[121]

OPR reviewed the training records of the 78 CBP personnel who were at Robb Elementary School before **12:50:00 PM** to identify which personnel may have completed NIMS/ICS training:[122]

CLASS	# ATTENDED
IS-100.C (online)	8/78 (10.3%)
IS-200.C (online)	0/78 (0.0%)
IS-700.B (online)	13/78 (16.7%)
IS-800.D (online)	0/78 (0.0%)
ICS-300 (in-person)	6/78 (7.7%)
ICS-400 (in-person)	4/78 (5.1%)
Local Field Coordinator (in-person)	0/78 (0.0%)
No NIMS/ICS Training	59/78 (75.6%)

Table 2. NIMS/ICS Training of CBP Personnel

All NIMS and ICS courses offered by CBP are voluntary, with no formal, mandatory instruction provided to CBP personnel on how to recognize or handle multi-agency incidents. There is no training on NIMS or ICS protocols in CBP's mandatory three-week training class for new supervisory personnel, nor has there been any coordination with CBP's Law Enforcement Safety and Compliance (LESC) to implement NIMS or ICS protocols in their training programs. BC [redacted] stated that more training is needed across CBP in both NIMS and ICS protocols.[123]

[120] OPR interview of Branch Chief [redacted], August 7, 2023, timestamp 01:07:57.
[121] *Id.*
[122] Some CBP employees attended more than one class, therefore total percentage will be greater than 100%.
[123] *Id.* at timestamp 00:48:02.

ICS protocols stipulate the initial first responder on scene "need[s] to explicitly establish incident or unified command and clearly state and record when command is transferred."[124] This makes the first responder on scene the Incident Commander. As more people arrive on scene, a more-qualified individual may assume command according to agency guidelines, maintain command as it is and monitor command activity and effectiveness, or request a more-qualified Incident Commander from the agency with a higher level of jurisdictional responsibility.[125] Applying ICS protocols to the incident at Robb Elementary School, every law enforcement officer had an obligation to establish, maintain, and, if necessary, transfer command and control. None of the senior law enforcement officials on scene, including USBP leadership, established command and control. A review of CBP training records showed that 75.6% of the CBP personnel at Robb Elementary School at the time the entry team breached the door of Classroom 111 had no training in NIMS and ICS protocols.

Response

The lack of command and control on May 24, 2022, led to a disjointed and chaotic response by all personnel at Robb Elementary School, including CBP personnel. Adding to the dysfunction, the integration of CBP personnel and local personnel in a mass casualty incident such as the incident at Robb Elementary School was never practiced prior to May 24, 2022. At no time between when USBP BORTAC personnel began to arrive at Robb Elementary School at **12:13:12 PM** and when they breached the room and killed the assailant did they receive any guidance, direction, or instruction from any senior law enforcement leaders at the school or elsewhere. This is clear from the testimony of the senior law enforcement official inside the school, UCISDPD Chief Arredondo. He testified before the Texas House of Representatives Investigative Committee on the Robb Elementary Shooting on June 21, 2022, that he did not consider himself to have assumed incident command.[126]

According to the Texas House of Representatives Investigative Committee on the Robb Elementary Shooting, "[UCISDPD's] active shooter policy called for [UCISDPD] Chief Arredondo to be the incident commander in any active shooter response."[127] Following proper NIMS and ICS protocols, an incident commander should not be present in an area near the active threat but should instead establish a single command post and unified command among all responding agencies from a remote location. UCISDPD Chief Arredondo said:

> *[W]hile you're in there, you don't title yourself … I know our policy states you're the incident commander. My approach and thought was responding as a police officer. And so I didn't title myself. But once I got in there and we took that fire, back then, I realized, we need some things. We've got to get in that door. We need an extraction tool. We need those keys. As far as … I'm talking about the command part … the people that went in,*

[124] IS-0200.c Student Manual.
[125] *Id.*
[126] Texas House of Representatives Investigative Committee on the Robb Elementary Shooting, *Interim Report*, p. 63 (July 17, 2022).
[127] *Id.* at p. 74.

there was a big group of them outside that door. I have no idea who they were and how they walked in or anything. I kind of – I wasn't given that direction.[128]

Formal command and control was also never established for CBP personnel on site, including those inside the west building, those outside on the campus of Robb Elementary School, and those who arrived at the school immediately following the breach of Classrooms 111 and 112. Additionally, the state and local law enforcement officials on site failed to establish incident command. The lack of a unified command structure led to the impromptu tasking or autonomous decision-making of CBP personnel until the situation transitioned to a more formal structure well after the assailant was killed. For example, SBPA [redacted] indicated there was never any question that he had the autonomy to "act however [he] saw fit" to bring the incident to a resolution."[129] He was the one who instructed BORTAC agents to respond to Robb Elementary School and authorized the breach of Classroom 111.[130] Beyond the level of command and control exerted by SBPA [redacted] as he attempted to enter Classrooms 111 and 112, CBP never established an incident command structure for its responding personnel to support an established unified command.

One of the benefits of establishing unified command is managing the flow of communication to and from the area of the threat. OPR heard multiple people who were at the scene describe the difficulties experienced with the radio system on May 24, 2022. In the absence of radio communications, NIMS and ICS training encourages the use of runners – people whose sole purpose is to go to and from the established command post delivering information. Based on the lack of an established command post, there was nowhere for information to flow to or from, leading to mass confusion regarding who was in charge of the situation.

CBP personnel at the school, including some who had received standard training in NIMS or ICS protocols, did not establish command and control during the incident. Had CBP leadership established an incident command post for its own personnel, it could have had an impact on the overall command and control structure, even though CBP lacked the authority to assume control of the incident from state and local law enforcement officers. Although various videos showed some instances of leadership at intermittent moments, no specific plan of action ever came together in a cohesive manner. OPR's review identified that many of the responding CBP officers/agents were unsure of who was in charge or who was providing direction at the school, with some believing UPD was in charge, others believing TXDPS was in charge, and others simply believing no one was in charge.

[128] *Id*. at p. 63.
[129] OPR interview of SBPA [redacted], March 16, 2023, timestamp 07:03:05.
[130] *Id*. at timestamp 07:03:20.

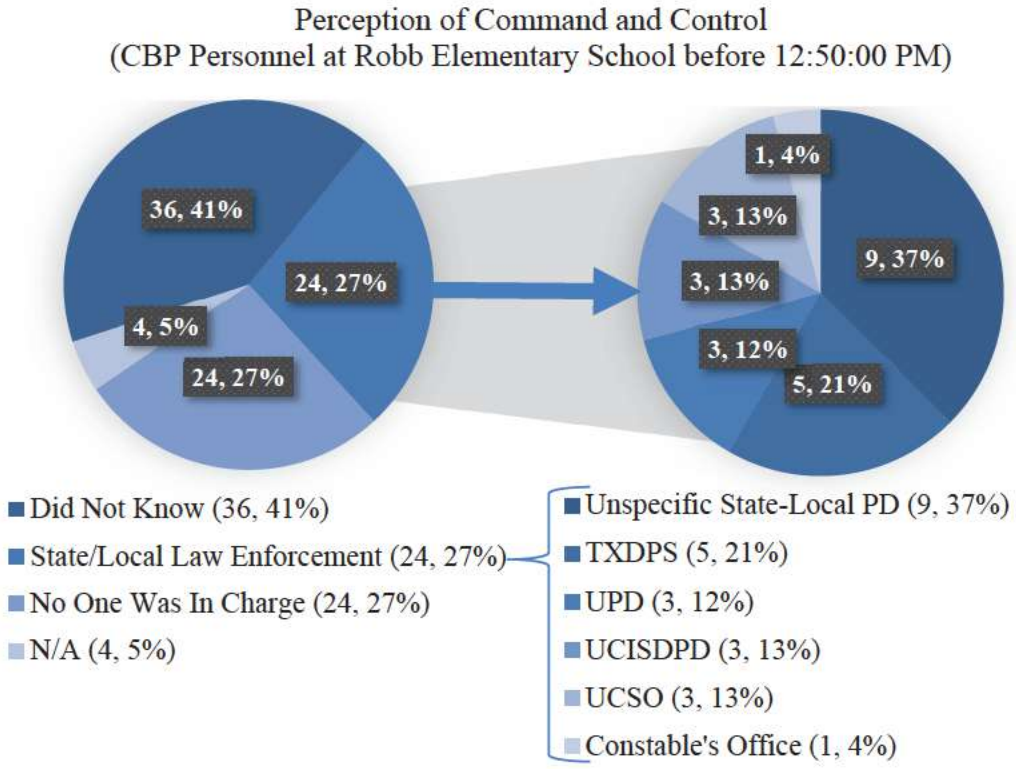


Figure 15. Perception of Command and Control (CBP Personnel at Robb Elementary School before 12:50:00 PM)

After the breach of the doors to Classrooms 111 and 112, the disjointed response continued. Without any specific guidance, CBP personnel responded to multiple schools in the Uvalde area to address a potential second threat. No single person was in charge of this response, leading to some law enforcement officers, including some CBP personnel, taking charge of the school dismissal process while others yielded to school administrators. CBP personnel also responded to the Civic Center to assist with providing security during the student/family reunification process. Based on the circumstances of the day and requests from local law enforcement for assistance, CBP personnel focused on facilitating a safe and orderly reunification of students with their families. CBP personnel also provided security at Uvalde Memorial Hospital, and even assisted with notifications to the families of the deceased at the request of medical personnel at the hospital, without the ability or benefit of reaching back to a command post to receive direction under a unified command.

The lack of incident command also negatively impacted media messaging regarding the incident. NIMS/ICS protocols, as part of the IS-100.C: Introduction to the Incident Command System, ICS 100 curriculum, state a Joint Information Center (JIC) is a facility at which personnel coordinate incident-related public information activities.[131] The JIC serves as the central point of contact for all information disseminated. However, on May 24, 2022, USBP officials tweeted

[131] IS-100.C: Introduction to the Incident Command System, ICS 100

three messages about the incident on social media without verifying the accuracy of the statements.[132] These messages were neither coordinated through the JIC nor accurate.[133]

ACTIVE SHOOTER INCIDENTS

Training

OPR reviewed CBP's active shooter policy and other external training documents, including:

- Advanced Law Enforcement Rapid Response Training (ALERRT) Train-the-Trainer Active Shooter Response Level 1 (v. 7.2).
- Active Shooter Instructor Training Program (ASITP) Instructor Guidebook.

ALERRT at Texas State University was created in 2002 to address the need for active shooter response training for first responders. In 2013, the FBI named ALERRT at Texas State the National Standard in Active Shooter Training.[134] The two-day, 16-hour course is designed to provide basic, tactically-sound, standardized active shooter response training across the country, enabling law enforcement responders from different agencies to work together safely and effectively on active shooter responses.[135] Although OPR personnel did not audit ALERRT training, four LESC instructors tasked with teaching ASITP have attended ALERRT training since 2021.[136]

CBP initially developed the ASITP in 2009 and taught it exclusively at the USBP Academy. Presently, ASITP is a one-week training program for CBP-certified firearms and less-lethal instructors, taught by a cadre from LESC. ASITP focuses on room entry and clearing tactics during an active shooter situation, utilizing interactive role players and inert training rounds. In April 2023, OPR personnel audited CBP's ASITP at Summit Point, West Virginia.

OPR personnel noted that ASITP students are told on the first day of training that they will not receive instruction on breaching a locked door. Instead, students are told to find another way into the room. Students did not receive any training on the use of ballistic shields during active shooter situations. The ASITP curriculum did not address the legal authorities for CBP personnel to respond to active shooter situations and did not discuss jurisdiction, leadership roles or responsibilities, or how to work with other local, state, or federal law enforcement agencies at the same scene or incident. There was no discussion or emphasis on command and control during active shooter situations at the ASITP.

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[132] U.S. Border Patrol Chief Raul Ortiz tweeted on May 24, 2022, at 11:04:00 PM, "Risking their own lives, these Agents and other officers put themselves between the shooter and children, to draw the shooter's attention away from potential victims and save lives. At least one Agent was wounded by the shooter during the exchange of gunfire." U.S. Department of Justice, Office of Community Oriented Policing Services, Critical Incident Review: Active Shooter at Robb Elementary School, 2024, pp. 213-214.
[133] *Id.* While not within the scope of this report, the DOJ COPS report also found the accuracy of the overall public communications coming from the JIC was questionable on May 24, 2022.
[134] ALERRT at Texas State University, *About ALERRT*, https://alerrt.org/about, 2023.
[135] ALERRT curriculum
[136] OPR interview of ACPA [redacted], August 10, 2023, timestamp 00:22:26.

The course is a train-the-trainer program and did not require participants to receive a formal pass/fail for certification. All standards of success were based on safety and students' safe weapon handling skills. At the end of the course, any student without major safety infractions was authorized to teach Active Shooter at their respective Field Operations ports and Border Patrol stations and sectors. If a student received multiple major safety infractions, they were granted an end-user completion certificate, but not authorized to provide Active Shooter instruction. Overall, OPR personnel found ASITP to be more of an advanced tactics and firearms movement course, rather than an active shooter course.

OPR reviewed the training records of the 78 CBP personnel who were at Robb Elementary School before **12:50:00 PM** to identify which personnel attended active shooter training beyond instruction provided at the USBP Academy:

CLASS	# ATTENDED
Active Shooter (3-Day)	30/78 (38.5%)
ASITP	10/78 (12.8%)
ALERRT Level 1	1/78 (1.2%)
No Additional Training	37/78 (47.4%)

Table 3. Active Shooter Training of CBP Personnel

To discuss the development and implementation of the ASITP curriculum, OPR interviewed ACPA [redacted], former Director of the Pre-Deployment Branch of LESC, which is responsible for conducting ASITP classes.[137] ACPA [redacted] explained that he believed the ASITP curriculum was designed and focused specifically on responding to a call for service related to gunshots being fired, approaching a building, entering the building, and clearing the building to eliminate the threat.[138] ACPA [redacted] stated the ASITP curriculum is loosely based on ALERRT's training doctrine with an emphasis on additional tactics for team movement. He acknowledged that the two curricula are different, with ASITP not including instruction on medical treatment of victims or NIMS/ICS protocols.[139] ACPA [redacted] also acknowledged that ASITP's definition of an "active shooter" does not mirror that of ALERRT's definition and stated that when the ASITP curriculum was created in 2009, ALERRT was one of many vendors providing active shooter training.[140]

Law enforcement training involves repetition to improve an officer's ability to make split-second decisions faster and clearer. A comparison of ALERRT and ASITP revealed multiple differences between the two curricula, which may have been pertinent to the law enforcement response at Robb Elementary School. Many state and local law enforcement officers responding to Robb Elementary School were trained using the ALERRT curriculum, while CBP personnel

[137] Although ACPA [redacted] was not the current Director of the Pre-Deployment Branch of LESC, it was appropriate to interview him since he was the former Director responsible for developing and implementing the ASITP curriculum prior to May 24, 2022. The transition to his new role occurred after May 24, 2022.
[138] OPR interview of ACPA [redacted], August 10, 2023, timestamp 00:56:45.
[139] *Id.* at timestamp 00:54:15; ALERRT curriculum.
[140] *Id.*

were trained using the ASITP curriculum. The extent of the differences between the two could have led to issues with interoperability.

First, the two programs have different definitions of an "active shooter" situation. ALERRT teaches that an active shooter situation is one where "there is reliable evidence that an attacker is actively killing people or that his or her actions are preventing medical attention from reaching critically injured victims."[141] Conversely, ASITP teaches that an active shooter situation is "an armed person who has used deadly, physical force on other people and continues to do so, while having unrestricted access to additional victims."[142] These minor differences in verbiage can have a significant impact on the actions law enforcement officers take during an active shooter response. Additionally, ASITP incorporates the use of rifles in active shooter training scenarios, whereas ALERRT does not because, according to ALERRT, not all law enforcement agencies and officers have access to rifles. Instruction on medical response and incident command is provided in ALERRT but only briefly mentioned in ASITP.

Neither training program includes instruction on actions to take when encountering a locked door; however, this does not unburden officers/agents from finding other means of getting into a locked room. The training does instruct students to do whatever is necessary to find alternate means of entry. Without the benefit of adequate training, law enforcement officers were left unequipped to handle the demands of the situation at Robb Elementary School. There is also a potential missed opportunity in training programs to include scenarios with difficult circumstances to teach officers/agents better decision-making skills.

Response

USBP is the largest and best equipped law enforcement unit in many rural border communities and has multiple units with specialized capabilities, making it an attractive partner. USBP has more law enforcement officers assigned to Uvalde than all other law enforcement agencies in the Uvalde area combined. Compared to the more than [redacted] BPAs assigned to UVA, UPD has 39 police officers, UCSO has 15 sheriffs' deputies, and UCISDPD has only 6 police officers.[143] Considering USBP's size and specialized capabilities, area law enforcement agencies often look to partner with USBP when necessary.

Dispersed throughout the USBP Del Rio Sector area of responsibility are members of BORTAC and BORSTAR units. BORTAC members receive training in advanced tactics, high-risk warrant service, and precision marksmanship, among other skills. BORSTAR members are trained in tactical medicine, technical rescue, and operations management and planning. In addition to these specialized units, dozens of other DRT BPAs completed EMT training. OPR learned that BPAs in the USBP Del Rio Sector previously provided training to state and local law

[141] ALERRT curriculum.
[142] ASITP curriculum.
[143] City of Uvalde, *Public Safety*, https://www.uvaldetx.gov/residents/public_safety/index.php; Police1 by Lexipol, *Uvalde County Sheriff's Department*, https://www.police1.com/law-enforcement-directory/sheriffs-departments/uvalde-county-sheriffs-department-uvalde-tx-ZDhEPsOIAVAkB9UF/; Uvalde Leader-News, *UCISD adds two police officers for total of six*, https://www.uvaldeleadernews.com/articles/ucisd-adds-two-police-officers-for-total-of-six/.

enforcement agencies on topics including active shooter training and tactical combat casualty care.

Additionally, interviewed BPAs recalled their radios being "patched" during the Robb Elementary School incident, meaning that two separate radio systems were combined to allow interoperability to facilitate faster information sharing. The patch in place on May 24, 2022, was not the first time the USBP and UPD radio systems had been merged.

Many of OPR's interviews pointed to informal relationships previously established to provide assistance to area law enforcement agencies when necessary. Although none of these relationships were formalized through a memorandum of understanding, the BPAs interviewed by OPR investigators expected that they would render assistance to state and local law enforcement officers when circumstances necessitated it, based on past practice. The absence of an executed memorandum of understanding likely contributed to the lack of clarity about CBP's role and under whose authority CBP was operating.

Because of the lack of a unified command at Robb Elementary School, CBP personnel were left to make decisions and take actions on their own, drawing on their individual training, experiences, and moral imperatives. CBP personnel, including the individuals who ultimately brought the situation to a close, made autonomous decisions at almost every juncture of the incident, from deploying to the scene to returning to their assigned USBP duty station.

CBP personnel responded to the incident based on a variety of prompts, including both self-deployment and direction to respond from a supervisor. Some employees received phone calls, others heard about the situation over the radio, and still others learned about the event from social media. Some CBP personnel who responded were on duty while others came from off-duty to assist.

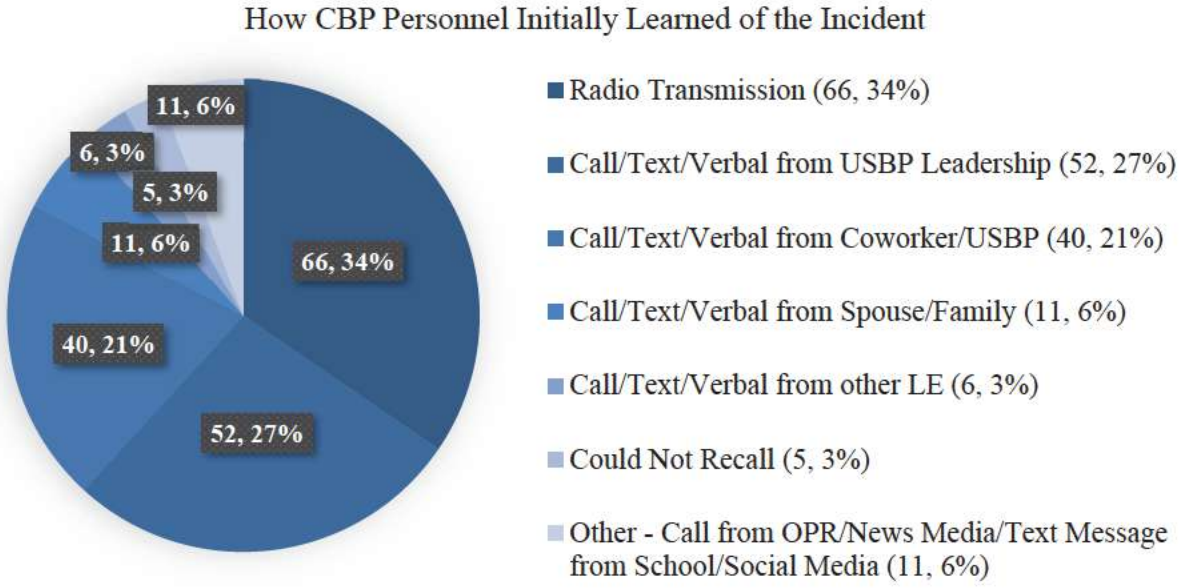


Figure 16. How CBP Personnel Initially Learned of the Incident

As CBP personnel arrived on scene at Robb Elementary School, many inquired about the location of a command post with other law enforcement officers; however, its absence led CBP employees to independently find a way to be useful in the situation. Recognizing the still-active nature of the situation, some CBP personnel entered the west building and joined other law enforcement officers as they gathered near the classrooms. Other employees helped other law enforcement officers keep onlookers at a safe distance for their own protection and to prevent the efforts of first responders from being impeded. Still other CBP personnel, seeing the actions of nearby law enforcement officers, assisted with the evacuation of children from classrooms, even placing themselves in harm's way to evacuate a wounded student and teacher from the room next to the classroom where the assailant was known to be located.

At the time of the incident on May 24, 2022, members of Del Rio Sector's BORTAC team were operating in a remote location to apprehend undocumented migrants.[144] The remoteness of the location not only delayed their response to Robb Elementary School, but also hindered the team's regular method of communication – cell phone text messages. The following table lists each member of SBPA [redacted]'s BORTAC team, the approximate time they acknowledged being notified about the incident, and approximate time and location they arrived on scene:[145]

[144] OPR interview of SBPA [redacted], March 6, 2023, timestamp 00:49:31; OPR interview of PAIC [redacted], March 13, 2023.
[145] See Appendix II for detailed information about the BORTAC members' internal communications and locations.

Last Name	Acknowledge Time	Arrival Time	Arrival Location
[redacted]	Sent message at 11:45:00 AM	12:13:12 PM*	Robb Elementary School – West Building
[redacted]	11:50:00 AM	12:10:00 PM	Robb Elementary School – East Side Near Admin Bldg.
[redacted]	11:48:00 PM	12:37:08 PM*	Robb Elementary School – West Building
[redacted]	11:48:00 AM	12:37:08 PM*	Robb Elementary School – West Building
[redacted]	11:51:00 AM	12:47:03 PM*	Robb Elementary School – West Building
[redacted]	11:45:00 AM	12:45:00 PM	Hillcrest Memorial Funeral Home – Parking Lot
[redacted]	11:47:00 AM	12:50:00 PM	Hillcrest Memorial Funeral Home – Parking Lot
[redacted]	11:47:00 AM	12:50:00 PM	Hillcrest Memorial Funeral Home – Parking Lot
[redacted]	11:47:00 AM	12:50:00 PM	Hillcrest Memorial Funeral Home – Parking Lot

*** Denotes exact time**

Table 4. BORTAC Team Timeline

SBPA [redacted] entered Robb Elementary School at **12:13:12 PM**. Usually, a specially trained law enforcement officer responding to a dynamic situation is tactically supported by an established incident command structure that provides the foundation for any actions taken. SBPA [redacted] did not have the benefit of such a structure. Further impeding SBPA [redacted]'s ability to respond and adding to the challenges he faced during the situation was the lack of action or command by UCISDPD, UPD, UCSO, or USBP leadership. SBPA [redacted] was left to handle issues of containment, breaching, situational awareness, and communication on his own. According to SBPA [redacted], he was flooded with multiple, conflicting pieces of information and was left to independently assess and validate all of them.[146]

To manage the situation, SBPA [redacted] told OPR investigators he solved one problem at a time until the situation was resolved. SBPA [redacted] spoke with PAIC [redacted] on the phone as SBPA [redacted] was preparing to leave his house to respond and was told he had "top cover," a phrase used to suggest approval from higher levels of management.[147] Although SBPA [redacted] spoke with PAIC [redacted] and (A)PAIC [redacted] on the phone prior to making entry at **12:50:00 PM**, he was unaware of the notifications made and approvals sought and granted from the Chief, U.S. Border Patrol, to take any action needed to resolve the situation. SBPA [redacted] received no on-site guidance or instructions from senior law enforcement leaders at the school or elsewhere and instead acted on his own. Because of the organizational culture within the U.S. Border Patrol,

[146] OPR interview of SBPA [redacted], March 16, 2023, timestamp 00:35:12.
[147] *Id.* at timestamp 02:25:50.

SBPA [redacted] and other responding CBP personnel felt empowered to bring the incident to a conclusion without the need to repeatedly seek permission for various courses of action.[148]

SBPA [redacted] was only one of many officers/agents challenged by the lack of command and control. Aside from concerns relating to authority or command and control, CBP personnel faced specific and immediate issues needing to be addressed. The law enforcement officers who responded to Robb Elementary School spent significant time trying to determine the best way breach the door of Classroom 111. None of the law enforcement officers in the hallway were aware of the adjoining door between Classrooms 111 and 112. OPR's review did not find any evidence to suggest anyone physically turned the handle of the door to Classroom 111 to see if it was locked prior to the breach. Instead, a combination of factors, including overhearing conversation coupled with the knowledge that other doors were actually locked led officers to assume the door to Classroom 111 was locked.[149]

Alternative means of gaining access to Classroom 111 were explored and dismissed for a variety of reasons. Within seconds of SBPA [redacted]'s arrival in the west building at **12:13:12 PM**, UPD Officer [redacted] brought canisters of CS gas into the hallway at **12:13:58 PM**. However, as law enforcement officers were readying themselves for the use of gas, they learned that a child was calling from inside the classroom and spoke of injured victims.[150] The presence of casualties led SBPA [redacted] to eliminate the use of CS gas as a viable option.[151] Other CBP law enforcement officers who responded to the incident considered using an explosive breach; however, the potential use of an explosive breach was not communicated to SBPA [redacted].[152] If anyone had established an incident command post, the use of explosive breaching techniques could have been communicated to the incident commander in a timely manner for consideration. The incident commander could then have evaluated the logistical challenges of obtaining the necessary materials, since they were not on site and needed to be transported from Del Rio.

Although transporting explosives by helicopter from Del Rio would have been faster, explosives are not flown on CBP helicopters because CBP has not evaluated the effects of altitude and static electricity on the materials.[153] Given this standard practice, CBP law enforcement officers who responded to the incident did not consider transporting the explosive supplies needed for a dynamic breach via helicopter. Furthermore, all available helicopters were already tasked and out of the Del Rio area by the time the need for explosive breaching materials was realized. Explosive breaching materials were eventually driven up to Uvalde from Del Rio, but arrived at **12:47:00 PM**, minutes before the entry team breached Classroom 111.[154] The officers also

[148] *Id*. at timestamp 07:02:40
[149] Additionally, the U.S. Department of Justice, Office of Community Oriented Policing Services, Critical Incident Review: Active Shooter at Robb Elementary School found, "Though the entry team puts the key in the door, turns the key, and opens it, pulling the door toward them, the CIR Team concludes that the door is likely already unlocked, as the shooter gained entry through the door and it is unlikely that he locked it thereafter" (p. 15).
[150] OPR interview of BPA [redacted], March 13, 2023, timestamp 00:39:45.
[151] OPR interview of SBPA [redacted], March 16, 2023, timestamp 02:59:33.
[152] OPR interview of SBPA [redacted], March 6, 2023, timestamp 03:22:07. OPR interview of BPA [redacted], March 9, 2023, timestamp 00:36:20.
[153] OPR interview of AIA [redacted], August 2, 2023, timestamp 00:48:20.
[154] OPR interview of BPA [redacted], March 9, 2023, timestamp 00:34:20

considered the use of breaching tools, such as a Halligan tool and sledgehammer. SBPA [redacted] entered the building through the west door with a Halligan tool at **12:35:44 PM**; however, after testing its effectiveness without a ram or sledgehammer on a door similar to that of Classroom 111, SBPA [redacted] decided using the tool could result in a situation where he would "not get in [to the classroom] and get everybody shot up and still be locked out."[155] Seconds later, the use of the Halligan tool became moot when TXDPS Ranger [redacted] handed SBPA [redacted] the correct master key at **12:36:34 PM**.

During the 14 minutes that passed between the time SBPA [redacted] was given the correct master key and when the team entered Classroom 111, SBPA [redacted] made sure the medical triage area was staged and ready. He also used the time to try to gain a better understanding of the situation. He instructed BPA [redacted], a BORTAC sniper, to attempt to find a position that would allow him visibility into the classroom. After making three unsuccessful attempts by climbing onto different adjacent rooftops, BPA [redacted] was unable to see inside the classroom. Simultaneously, TXDPS deployed a drone to try to gain visibility inside the classroom but was also unable to see inside. Had any of those attempts succeeded, it would have provided law enforcement officers invaluable information regarding the situation inside the classroom. Recognizing the futility of waiting any longer, SBPA [redacted] formed a team and entered the classroom.[156]

MEDICAL

Training and Licensure

The level of medical training of the CBP personnel who responded to Robb Elementary School on May 24, 2022, varied greatly. While some responding CBP personnel had advanced medical certifications, such as EMT or Paramedic, other CBP personnel had only basic medical instruction provided at the USBP Academy.[157] OPR reviewed the level and recency of medical training of CBP personnel who responded to Robb Elementary School on May 24, 2022. OPR also conducted a licensure review for those who were deemed medical providers (EMTs and higher).

While medical training is included in the USBP Academy curriculum, there is little structure to ensure personnel remain proficient in their skills following graduation. OPR's interviews revealed that training on the use of Individual First Aid Kits (IFAKs) and performing CPR does not occur on an annual or routine basis because of increased operational demands.[158]

Each CBP component establishes and operates its own emergency medical response program. CBP's Office of Field Operations (OFO) supports the training and equipping of Customs and Border Protection Officers as medical providers. Similarly, AMO supports the training and

[155] OPR interview of SBPA [redacted], March 16, 2023, timestamp 02:47:28.
[156] *Id.* at timestamp 03:00:45.
[157] Program Syllabus for U.S. Border Patrol Integrated Training Program, July 2020, p. 112.
[158] OPR interview of BPA [redacted], March 8, 2023, timestamp 01:56:43. OPR interview of BPA [redacted], March 8, 2023, timestamp 1:28:38.

equipping of their personnel. OPR, with the support of OFO's EMS program, also trains and equips medical providers. OFO, AMO, and OPR medical providers are required to be certified by the National Registry of Emergency Medical Technicians (NREMT) and licensed in DHS's eLicensing Portal, in accordance with best practices and industry standards.

OPR's review identified that USBP medical providers, certified by the NREMT at both the EMT and paramedic levels, who responded to Robb Elementary School on May 24, 2022, were not licensed in DHS's eLicensing Portal, nor were they licensed by the State of Texas. Some USBP medics have provided EMT training to outside state and local agencies. From the NREMT website:

> Certification is the process by which a non-governmental organization grants recognition to an individual who has met predetermined qualifications specified by that organization. Licensure, on the other hand, is the state's grant of legal authority, pursuant to the state's police powers, to practice a profession within a designated scope of practice.[159]

On October 14, 2022, [redacted], former Director of Emergency Medical Services at the DHS Office of Health Security, sent Assistant Chief [redacted], then-National USBP EMT Program Manager, a memorandum outlining the proper medical provider credentialing requirements for operational medical programs such as USBP's.[160] The DHS Office of Health Security's memorandum states:

> The [DHS credentialing] system provides for a medical oversight process ensuring the competencies and qualifications of those with medical care responsibilities. The system establishes quality assurance requirements for the improvement of EMS services through monitoring, review, and assessment of medical data. Evidenced-based practice guidelines are developed and distributed as standard medical protocols for use throughout DHS, providing continuity of care and interoperability standards for all EMS programs. The credentialing system reduces the liability exposure of DHS where the Federal Tort Claims Act does not apply by ensuring that trained, qualified, and vetted EMS professionals who meet national standards operate within an approved system of protocols and oversight.[161]

OPR discussed the conflicting definitions of licensure, certification, and credentialing with representatives from the DHS Office of Health Security, CBP Office of Chief Medical Officer, and USBP National EMT Program Manager. Absent the memorandum sent by the former Director of Emergency Medical Services at the DHS Office of Health Security mentioned previously, there is no definitive policy on the requirements for medical provider licensing within the Department of Homeland Security. USBP does not interpret the DHS Office of

[159] National Registry of Emergency Medical Technicians, *The Nation's EMS Certification*, https://www.nremt.org/, version 2023.2, (2023).
[160] Memorandum from DHS Office of Health Security, Director of Emergency Medical Services to USBP National EMT Program Manager, dated October 14, 2022.
[161] *Id.*

Health Security memorandum to mean licensing is required. However, it is the intent of the DHS Office of Health Security, based on industry standards and best practices, to have all DHS medical providers, including those in USBP, registered in the DHS eLicensing Portal. This is to ensure continuity of the standards for patient care throughout DHS and ensure adequate oversight over DHS-component emergency medical systems.

Response

OPR evaluated the May 24, 2022, medical response by CBP personnel at Robb Elementary School. The review did not focus on individual patient care provided to specific victims, but instead focused on the actions of CBP personnel in the context of the incident.

Civilian medical crews were present at Robb Elementary School; however, they remained outside. Standard practice dictated they remain outside the school while there still existed a direct and immediate threat.[162] Additionally, roads leading to Robb Elementary School were clogged with police vehicles, leaving some ambulances unable to get to the school prior to **12:50:00 PM**.[163] With civilian medical crews unable to fully respond and establish medical command and control of the situation, this task fell on law enforcement personnel inside the west building. CBP personnel took the lead for this task by establishing a triage area near the T-intersection.

Because of the separation between personnel at the north and south ends of the hallway, individuals at the south end of the hallway were unaware of the medical response plan in place at the north end. The chaotic nature of the situation, coupled with the lack of guidance, led to a void in leadership that was filled on an ad-hoc basis. OPR's review revealed that BPA-P [redacted], an EMT, recognized the need for triage to be established and took the initiative to lead that effort. He directed other law enforcement EMTs inside the west building to establish a medical triage area at the north end of the hallway. Despite BPA-P [redacted]'s efforts in establishing a triage area, there was no chance for the medical response plan to be implemented, because the lack of communication between the groups at the north and south ends of the hallway ultimately led to chaos and disorganization once additional personnel flooded into the hallways following the breach of Classrooms 111 and 112.

BPA-P [redacted]'s plan involved following triage protocols for a mass casualty incident, i.e., once an incident scene is safe, victims are triaged in place and assigned one of four color codes pertaining to the severity of their injuries as follows:

[162] Goldstein, Scott, LeeAnne M. Martin Lee, and Joseph Roarty. *EMS Zones of Care*. Treasure Island, FL: StatPearls Publishing, 2023. https://www.ncbi.nlm.nih.gov/books/NBK436017. U.S. Department of Justice, Office of Community Oriented Policing Services, Critical Incident Review: Active Shooter at Robb Elementary School, 2024; OPR interview of BPA-P [redacted], March 8, 2023, timestamp 01:38:30.
[163] OPR interview of SBPA [redacted], March 8, 2023, timestamp 00:50:53; OPR interview of BPA [redacted], March 10, 2023, timestamp 01:38:30; OPR interview of ASAC [redacted], February 28, 2023, timestamp 00:22:50, Call to 911 made by TXDPS Sergeant [redacted] at 12:34:00 PM.

- Green is given to victims who can safely walk to a different location.
- Yellow is given to victims who need medical treatment on site.
- Red is given to victims who need to be immediately transported to a higher level of care.
- Black is given to victims who are deceased or have no chance of survival.[164]

Once the scene is safe, the person on site with the highest level of medical training provides direction to other medically trained personnel in accordance with ICS protocols, which are a part of the National Emergency Medical Services Education Standards.[165]

In the specific instance of the Robb Elementary School shooting, protocols for a mass casualty incident were not followed. Realizing that the medical response plan was not being followed by the scores of law enforcement officers flooding into the classrooms, BPA-P [redacted] worked his way into Classroom 112 and personally triaged seven victims, taking charge of the medical response inside the room. Other higher-level medically trained personnel inside the west building were initially overwhelmed by the scene and focused on patient care instead of coordinating the medical response.[166]

Ultimately, all occupants of Classrooms 111 and 112 were attended to in 2 minutes and 44 seconds. However, because mass casualty protocols were not followed, some victims were not properly triaged and were instead unnecessarily taken out of the classrooms. Some of the victims who were unnecessarily removed from the classroom were deceased and should have been left in place. The lack of command and control over the medical response following the breach also led to six victims being taken out of the building and to a school bus without being properly triaged. Two of the six victims taken to the school bus had gunshot injuries that should have been identified during triage. Although neither of those injured victims succumbed to their injuries, they were not provided immediate care.

[164] U.S. Department of Transportation, National Highway Traffic Safety Administration, *Model Uniform Core Criteria for Mass Casualty Incident Triage*, December 2017.
[165] U.S. Department of Transportation, National Highway Traffic Safety Administration, *National Emergency Medical Services Education Standards*, December 2021.
[166] OPR interview of SBPA [redacted], March 8, 2023, timestamp 01:33:50; OPR interview of BPA [redacted], March 21, 2023, timestamp 00:49:04.

FINDINGS AND RECOMMENDATIONS

Based on a comprehensive review of the May 24, 2022, incident at Robb Elementary School, the following are OPR's findings and recommendations:

- **VAGUE, MISUNDERSTOOD AUTHORITY**. Effective multiagency coordination allows all levels of government to work together more efficiently and effectively. In many communities throughout the United States, CBP personnel constitute the largest group of law enforcement personnel in the area. While there is recognition of the threat posed by active shooter incidents in the communities in which they work and live, CBP first responders do not have the statutory authority to intervene in incidents that lack a clear, federal nexus. CBP officers, agents, and their managers at all levels have an inconsistent understanding of their actual authority to respond to non-federal incidents including active shooter situations.

  Recommendation: CBP must ensure its officers, agents, and managers understand and properly work within the confines of their authority. To the extent that CBP intends to continue to direct its personnel to respond to active shooter situations that lack a clear federal nexus, CBP must ensure a framework exists that formally authorizes its personnel to do so and guarantee that they will be protected from civil and criminal liability by ensuring these actions are within the scope of their employment. Because of the strong societal interest in preventing the loss of life, CBP officials should work with the U.S. Department of Justice and/or Congress to provide more expansive authorities that allow federal officers/agents to respond to acts of mass violence regardless of a nexus to a clear violation of federal law. Such responses must be found within the scope of their duties for purposes of legal representation.

- **THE ABSENCE OF UNIFIED COMMAND**. Over three hundred law enforcement personnel responded to the scene of the Robb Elementary School shooting. The failure of law enforcement personnel to establish identifiable incident management or command and control protocols led to a confused overresponse to the Robb Elementary School shooting. No law enforcement official ever clearly established they were in charge of the efforts inside the school. None of the law enforcement personnel involved, including CBP law enforcement personnel, executed NIMS protocols designed for the effective management of critical events.

  More importantly, there was a failure to establish an incident command post by anyone at the scene, including CBP senior management officials. This failure left responding officers and agents to act on their own and persisted throughout the duration of the event and into the post-event medical care. A few first responders attempted to contain the assailant while simultaneously addressing some scene management or command and control responsibilities independently. This led to a disjointed and fractured response and caused undue delays, led to wasted initiatives, clogged roads with emergency vehicles, prevented access by other needed critical personnel, and created a chaotic medical triage response for victims in need of advanced medical support.

Although OPR's review showed that some of the law enforcement personnel assumed a BORTAC supervisor would take tactical command of the scene once he arrived, the BORTAC supervisor was never explicitly asked to take charge of the situation. Instead, seeing the absence of command and control, the BORTAC supervisor took the initiative to understand and resolve the situation, one problem at a time. The event did not end until the BORTAC supervisor, along with a small group of CBP personnel and a local deputy sheriff, entered the classroom and killed the assailant.

Recommendation: If CBP assets will be tasked to assist state and local law enforcement agencies with similar responses because of CBP's size and capabilities, or if CBP leadership proactively decides to offer CBP assistance, the Incident Command System must be a facet of CBP's response protocols. All CBP supervisors should complete training on NIMS and ICS protocols. Doing so will provide them with knowledge of how an incident should be managed and how to interact with other federal, state, and local partners who are trained in ICS and NIMS protocols. The training would also provide CBP supervisors with the skills necessary to identify when a lack of command is present and how to establish incident command in a complex interagency environment, when needed. This training is especially pertinent because of the complexities of responding to incidents that lack clarity regarding CBP's statutory authority to respond.

- **UTILIZATION OF CBP AIRCRAFT**. CBP AMO used helicopters to provide overhead observation of the incident scene. However, the noise generated by the low flying helicopters inadvertently contributed to an already chaotic situation. Furthermore, no one ever told the helicopter crews there was an issue. Although there is no indication that the outcome of this incident would have been materially impacted if CBP's helicopters were used differently, the possibility of using CBP helicopters in a different manner was never considered because CBP did not establish its own command post for this incident.

  Recommendation: All CBP personnel tasked with responding to incidents such as the one at Robb Elementary School should be familiar with NIMS or ICS protocols. It is vital to recognize when an incident command post is necessary and take action. Implementing such protocols would allow the coordination of all CBP assets, including CBP aircraft. Additionally, CBP personnel should understand the capabilities of CBP aircraft and consider incorporating them in incidents, as appropriate. Establishing a command and control structure, even if solely to coordinate CBP assets, may serve as a catalyst to other responding agencies to set up an incident command structure of their own.

- **INSUFFICIENT ACTIVE SHOOTER TRAINING**. Existing CBP training on active shooter response protocols was inadequate and did not consider a tactical response to an active shooter incident utilizing ballistic shields, medical triage response, or the presence of a shooter behind a locked door. The training did not address complex questions of CBP's statutory authority or how CBP personnel fit into a response involving a state and local

incident without a clear federal nexus. The CBP active shooter training did not align with the standards other law enforcement agencies were trained on, including instruction on medical response and the proper application of NIMS or ICS protocols. It was also unclear under what authority CBP personnel are providing active shooter training to external partners around the country, particularly since CBP's training does not align with the standards by which many other agencies train or operate.

Recommendation: CBP should align its training and doctrine on active shooter response protocols with continuously emerging best practices, including lessons learned from this incident, before providing additional training to CBP personnel or anyone else. Once revised, all CBP first responders should receive comprehensive training on managing and responding to active shooter events.

- **SCARCE AVAILABILITY OF NECESSARY TOOLS**. None of the CBP personnel at Robb Elementary School had access to effective breaching equipment, such as a breaching shotgun, a sledgehammer or ram, or breaching explosives. This issue was exacerbated by the lack of unified command. Even if such equipment had been available, the lack of command and control left dozens of officers trying to resolve the situation with only the tools they had on hand and no coordination of assets.

  Recommendation: CBP should assess which breaching tools are available to its personnel. CBP personnel should be equipped with the necessary tools and training to breach commonly encountered obstacles like locked doors. Those tools must be issued and positioned to make them more widely available.

- **AGENT APPEARANCE**. BORSTAR personnel, who are medically trained at the EMT and paramedic level, wore the same uniform as BORTAC personnel. This created confusion about the number of tactically trained personnel on scene and may have contributed to the lack of command and control during the medical response.

  Recommendation: CBP should clearly distinguish medics from other personnel. CBP should develop a way to easily distinguish BORTAC and BORSTAR uniforms. This will allow law enforcement officers to know who to turn to for guidance and direction during a situation similar to that encountered at Robb Elementary School.

- **REINFORCE PROPER MEDICAL PROCEDURES AND TRAINING**. The absence of unified command led to a chaotic medical response following the breach of Classrooms 111 and 112. The lack of command and control led to six victims being taken out of the building and to a school bus without being properly triaged. Best practices dictate that medical triage should be conducted at the physical location of the event. Once triaged, victims should be moved to dedicated areas for stabilization, or immediately taken to awaiting medical vehicles for transport to hospitals. Failure to follow such established medical practices can lead to the inability to provide prompt and necessary care to those with catastrophic injuries. The Robb Elementary School incident also highlighted the importance of personnel receiving and

maintaining medical response training to the maximum extent possible. Many of the CBP personnel interviewed stated they did not receive proficiency training in CPR and the use of IFAKs and AEDs.

Recommendation: CBP should establish procedures for following medical best practices during critical events and ensure that all CBP personnel are trained to properly assess people requiring medical care, especially since CBP personnel may arrive on scene before EMTs and paramedics. To operate seamlessly in various locations, CBP should implement standardized protocols throughout the nation by registering all CBP medical providers in DHS's eLicensing Portal to ensure adherence to the standards for patient care. Additionally, CBP should provide all CBP medical personnel with opportunities to refresh and further their medical response training.

APPENDIX I: CBP PERSONNEL INTERVIEW SUMMARIES

The formal process to interview all CBP personnel who responded to the incident, as well as other CBP personnel who supported CBP personnel on May 24, 2022, commenced in February 2023 and concluded in August 2023. OPR conducted a total of 193 interviews of CBP employees, including Border Patrol Agents, Customs and Border Protection Officers, Air and Marine Agents, and other CBP personnel, including those responsible for training CBP personnel. In addition to the 188 CBP personnel who responded to or supported the response to the incident at Robb Elementary School, OPR interviewed two CBP subject matter experts in the fields of NIMS/ICS protocols and active shooter training and three CBP employees who did not participate in the incident or its response but were mentioned as potentially being a part of the incident response.

OPR's interview strategy identified the individual level of involvement of CBP personnel and grouped them into categories based on if and when they arrived at Robb Elementary School and the actions they took on that day. OPR investigators who interviewed those who went inside Robb Elementary School completed specialized interview training focused on trauma informed cognitive interview techniques. All interviews of CBP personnel who responded to the incident and the CBP personnel who supported them on that day included questions about incident command, active shooter training, and the interviewee's understanding of their authority and responsibility to respond to an incident such as the one at Robb Elementary School. At the conclusion of each interview day, OPR investigators and analysts met together to discuss salient pieces of information collected from that day's interviews and to identify knowledge gaps to help shape future interviews.

Below are summaries of the interviews. OPR confirmed all times reflected in the interview summaries through video footage and other verifiable means. Any times not validated are noted as approximate.

BORTAC

BORTAC personnel played a prominent role in the CBP response to the incident. The following is a summary of the interviews provided by BORTAC members, as well as those involved in the deployment of BORTAC personnel:

BPA [redacted] (DRT SOD), interviewed on March 13, 2023. (Exhibit 171)

On May 24, 2022, BPA [redacted] was off duty and on his way to celebrate [redacted] in Concan, Texas. As he was about to depart his home in Uvalde, he received a group text message from SBPA [redacted] stating that there was an active shooter at Robb Elementary School and asking who was available to respond. BPA [redacted] put on his multi-camouflage uniform, body armor plates, gun belt, pistol, two pistol magazines, M4 rifle, and individual first aid kit. He traveled to Robb Elementary School in an unmarked USBP vehicle without activating the emergency equipment, believing the incident would be resolved by the time he

arrived. He attempted to communicate via text messages using his personal phone without success.

He arrived at Robb Elementary School at approximately **12:10:00 PM**, parked on West Cargile Street, and walked toward the southeast side of the school. He saw a group of students running away from the school east toward Old Carrizo Road and guided them to safety. BPA [redacted] next saw a group of law enforcement officers running toward the school and decided to join them. They stopped near the southeast side of the school and one of the law enforcement officers told BPA [redacted] the subject was barricaded in the west building, located in the room that was the seventh window from the left side of the west building. BPA [redacted] relayed information to BORTAC team members via text message because radio communication was lacking; however, his text messages did not appear to go through. BPA [redacted] remained on the southeast side of the school, attempting to relay information to BORTAC team members, until he heard a volley of gunshots at approximately **12:50:00 PM**. After hearing the gunshots, he ran toward the south entrance of the school. He entered the building and froze when he saw a pile of deceased children and heard one of the law enforcement officers say all the children were deceased.

He met with other BORTAC BPAs by a tree in front of the school and was directed to go to the Uvalde hospital to check on BPA [redacted]. At the hospital, he was requested by hospital staff to escort parents to help identify deceased children. After escorting several sets of parents, BPA [redacted] suggested the hospital find assistance from experienced personnel trained to assist parents in that kind of situation. After BPA [redacted] stopped escorting parents, he stayed with BPA [redacted] until BPA [redacted] was discharged, then BPA [redacted] went home.

BPA [redacted] stated there was no incident command or sense of direction and the scene was the most chaotic he had ever experienced. He stated the situation was announced multiple times as a barricaded subject. BPA [redacted] believed USBP's role was to provide support if there was no nexus to an immigration matter or the border. He stated there is an obligation to respond to an active shooter situation as a law enforcement officer.

SBPA [redacted] (DRT SOD), interviewed on March 16, 2023. (Exhibit 189)

On May 24, 2022, SBPA [redacted] was the acting BORTAC Commander, off-duty on approved leave, when he received a phone call from BPA [redacted] informing him about a shooting or a shooter at Robb Elementary School. BPA [redacted] asked SBPA [redacted] if he was responding and said all UVA BPAs were instructed to respond. SBPA [redacted] sent a text to the BORTAC supervisors notifying them to respond and to the BORTAC text group ordering them to respond. He then decided to come back on duty and respond, and informed (A)PAIC [redacted] that BORTAC was heading to the school.

SBPA [redacted] drove in an unmarked GOV to the school and approached from the south. He asked an unknown officer where the incident command post was located but the officer had no information. SBPA [redacted] parked in front of the west entrance of the school and entered the building through the west entrance at **12:13:12 PM**, then returned to his vehicle to get additional

equipment before going back inside.[167] Inside the west building, SBPA [redacted] spoke to TXDPS Ranger [redacted], who briefed him on the situation.

Based on the information he obtained from TXDPS Ranger [redacted] and other law enforcement officers in the west building, SBPA [redacted] believed resolving the situation was contingent on getting through the locked doors of Classrooms 111 and 112. While still gathering information, SBPA [redacted] was given a ring of keys and approached the door to Classroom 111, but another officer suggested testing the key on a different door beforehand. SBPA [redacted] tested the keys on a nearby janitor's closet and realized none of the keys worked. After the keys failed, SBPA [redacted] started considering alternatives methods of breaching the door. BORSTAR BPAs then arrived and SBPA [redacted] told them to act in their capacity as medics and develop a triage plan. SBPA [redacted] retrieved his Halligan tool from his vehicle and tested it on the door of the janitor's closet. He determined he would need a ram or a hammer to successfully use the Halligan tool and requested one, but none was available.

Shortly after returning with the Halligan tool, SBPA [redacted] received a second set of keys and tested it on the janitor closet, which opened. At the same time, a BPA sniper arrived. SBPA [redacted] told the sniper to set up on the east side of the building to gain a tactical advantage. After the sniper and a TXDPS drone operator reported they could not see into Classroom 111, SBPA [redacted] decided to breach the classroom. SBPA [redacted] received a rifle-rated ballistic shield and [redacted] it to BPA [redacted], who lined up first. SBPA [redacted] inserted the key and opened the door to Classroom 111. The door kept closing, so they tried to use a chair to hold it open. SBPA [redacted] assessed the room and confirmed that Classroom 111 was connected to 112. Seeing BPA [redacted], SBPA [redacted] called him to join the group, then squeezed BPA [redacted]'s shoulder to initiate movement into the classroom.

As they moved into the room, the assailant kicked open the door to a closet in the classroom from inside the closet and SBPA [redacted] saw muzzle flashes as the assailant fired. SBPA [redacted] returned fire and moved toward the assailant, passing BPA [redacted]. SBPA [redacted] continued to fire at the assailant until the assailant fell to the floor. SBPA [redacted] held position over the assailant to protect the scene until TXDPS arrived and ordered all non-medics to exit the building. SBPA [redacted] left through the west door and met outside with PAIC [redacted], who directed SBPA [redacted] to gather with his team by a tree north of the building.

The team checked each other for injuries, then met at UVA, where they learned about a potential second shooter in the area and deployed to provide security. While at Uvalde High School providing security, TXDPS requested SBPA [redacted] and BPA [redacted] return to UVA take pictures for evidence. SBPA [redacted] returned to UVA and went home around **8:00:00 PM**.

SBPA [redacted] stated he knew he needed to respond because the situation involved a weapon at a school, and other agents were responding. He stated the patched radio traffic was chaotic, but the priorities when he arrived at Robb Elementary School were to determine who was in command and identify how he could help. SBPA [redacted] observed a low sense of urgency

[167] Video footage captured by static camera located in Robb Elementary School, May 24, 2022.

outside the building; each group of officers redirected him to a different group, and no one had any information. SBPA [redacted] did not know who was in charge or what their plan was. He stated it was unclear if it was an active shooter or barricaded subject. He explained that BORTAC is the highest trained tactical team in the Del Rio area and all law enforcement agencies know "BORTAC solves the problems that regular law enforcement can't."[168]

SBPA [redacted] stated that in situations that are not border related, BORTAC provides assistance, but there was no indication of a chain of command or anyone in charge at Robb Elementary School. SBPA [redacted] felt that TXDPS Ranger [redacted] told him to take care of the situation because TXDPS Ranger [redacted] told SBPA [redacted] to let him know what was needed. SBPA [redacted] identified that BORSTAR's role was to establish medical triage and provide medical aid to the wounded. He stated that it was not a USBP-led incident and despite there being many other agencies, none were in communication with one another, which caused confusion and lack of information.

SBPA [redacted] assumed his primary focus was to get the door open and that other law enforcement officers looked to him to take charge when he was handed the first set of keys. SBPA [redacted] did not expect to see children at the school because his children also attend school in Uvalde, but their schools were already dismissed for the summer. SBPA [redacted] believed there is a moral obligation for law enforcement officers to respond and assist in situations such as the one at Robb Elementary School.

BPA [redacted] (DRT SOD), interviewed on March 15, 2023. (Exhibit 185)

On May 24, 2022, BPA [redacted] was working at the Casey Ranch with other BORTAC BPAs and an AMO helicopter when he received a radio transmission from the AMO pilot stating that the pilot was leaving the area because of a shooting in Uvalde. BPA [redacted] did not know any details about the shooting but got into BPA [redacted]'s GOV and started toward Uvalde. BPA [redacted] rode to Uvalde with BPA [redacted] in an unmarked GOV with emergency equipment activated. BPA [redacted] provided navigation assistance and read aloud the text messages that were coming in. While enroute, BPA [redacted] received a text from SBPA [redacted] directing everyone to go to the active shooter scene at Robb Elementary School. BPA [redacted], who was in the car with BPA [redacted], also received a text from his wife, who [redacted] at the school, saying, "[redacted], please save us."

They parked a few blocks away and ran toward the school, arriving at **12:37:08 PM**.[169] They entered Robb Elementary School through the west entrance and saw about 25 law enforcement officers in tactical gear. SBPA [redacted] tasked BPA [redacted] with identifying the shooter's location and tasked BPA [redacted] with locating a sniper position outside to see inside through the windows of Classroom 111. BPA [redacted] observed bullet holes throughout the hallway and

[168] OPR interview of SBPA [redacted], March 16, 2023, timestamp 01:05:00.
[169] Video footage captured by static camera located in Robb Elementary School, May 24, 2022.

recalled discussions with SBPA [redacted] and other law enforcement officers about obtaining master keys and the assailant's alleged location.

Based on the lack of new information and lack of success by BPA [redacted] to see inside Classroom 111, BPA [redacted] and SBPA [redacted] decided to enter Classroom 111. As he moved closer to Classrooms 111 and 112 with SBPA [redacted], BPA [redacted] received a U.S. Marshal Service rifle-rated shield, which he held as he moved into a position to provide cover for SBPA [redacted] as SBPA [redacted] inserted the key into the door to Classroom 111.

BPA [redacted] opened the door to Classroom 111 at **12:49:09 PM**, held the door open, and called out his observation of the inside of the classroom. He unholstered his CBP-issued firearm and activated the pistol-mounted light, then entered the classroom and moved left along the wall with the door connecting to Classroom 112. As he entered Classroom 111, his tactical priority was on the open doors. He approached a closet and was approximately 10 feet away from it when the closet door was kicked open from the inside. BPA [redacted] saw the assailant emerge, and BPA [redacted] stepped back and fell as he felt his shield receiving bullet impacts. He returned fire with four rounds from his pistol before it malfunctioned and became inoperable. He threw down the pistol and transitioned to a borrowed rifle but did not fire any rounds from the rifle.

After the shooting ceased, he entered Classroom 112 and observed two boys with their arms raised under a sheet. He pulled out the boys and sent them out of the classroom and yelled at other law enforcement officers to regain their composure. BPA [redacted] announced they needed EMS in the room, discarded his shield, and helped another law enforcement officer carry [redacted] out of the classroom and put pressure on her gunshot wounds. He went back inside the building after other EMTs arrived to work on [redacted].

After reentering the building, BPA [redacted] heard an unknown law enforcement officer claim the assailant had a pistol and showed him a picture of it. Recognizing it as his pistol that had malfunctioned, he walked toward Classroom 111 and retrieved his pistol from an unknown BPA. The unknown BPA told him to holster the pistol in its malfunctioned state and join law enforcement officers with clearing some of the classrooms using the borrowed rifle.

BPA [redacted] met with other BPAs at a tree outside, received water, and was told to go to UVA. On the way to his vehicle, BPA [redacted] (whom he did not know at the time) questioned him, but BPA [redacted] did not provide any information. At UVA, BPA [redacted] had photos taken in his gear, then learned the assailant's girlfriend had threatened to shoot up another school, so he and other BPAs deployed to the high school and junior high school. He cleared the pistol malfunction in case he needed to use his pistol at the high school. Later, the Texas Rangers requested BPA [redacted] and SBPA [redacted] go to the Uvalde Police Department to have photos taken in their uniforms because the previous photos were insufficient, but CPA Owens instead directed them to UVA to have the pictures taken by the Uvalde Police Department at Uvalde Border Patrol Station. BPA [redacted] (DRT SOD) drove BPA [redacted] back to his vehicle at the ranch, then BPA [redacted] drove home.

BPA [redacted] understood the situation at Robb Elementary was a shooter at the school and the assailant was a barricaded subject. He described the information on the service radio as contradictory, confusing, and chaotic, with a long period of a "hot mic." BPA [redacted] felt like other law enforcement officers looked to BPAs to solve the situation. He did not see anyone in command or control of the scene.

BPA [redacted] (DRT SOD), interviewed on March 9, 2023. (Exhibit 157)

On May 24, 2022, BPA [redacted] was working with other BORTAC agents and an AMO helicopter near the [redacted] gas line when the AMO pilot notified them over the radio of a shooting in Uvalde. Almost immediately after the helicopter departed, BPA [redacted] received a text message from [redacted] saying, "[redacted], shooting at Robb" and "[redacted], it's me, shooting at Robb." He also received a text message from SBPA [redacted] notifying him to respond to Robb Elementary School because of a shooting. BPA [redacted] drove with BPA [redacted] in an unmarked GOV to the school, arriving at **12:37:08 PM**.[170] He parked north of Geraldine Street and ran to the school with BPA [redacted], entering via the west entrance door. He grabbed his sniper rifle and gave BPA [redacted] his M4 rifle and ballistic vest because BPA [redacted]'s equipment was in his GOV, which was still back near [redacted].

BPA [redacted] entered the west building and immediately looked for SBPA [redacted]. He asked SBPA [redacted] what he could do to assist, and SBPA [redacted] instructed him to "go outside, find him, and shoot him," referring to the assailant.[171] BPA [redacted] exited the school via the east entrance and positioned himself near a tree north of Classroom 32, then moved to the northwest corner of Classroom 34 but could not see into the classroom where the assailant was located because the blinds were down. After the breach, he reentered the school through the east entrance, but TXDPS told him he could not enter Classroom 111, so he and BPA [redacted] began clearing Classrooms 102-106. BPA [redacted] also assisted with moving deceased victims into Classroom 132.

He met with other BPAs outside for a muster, where they were directed to report to UVA. While at UVA, he was informed of a possible second shooter, so he and BPA [redacted] reported to Morales Junior High School. He provided security from the roof with his sniper rifle until all students were released, then returned to UVA.

BPA [redacted] stated he went to SBPA [redacted] upon his arrival at Robb Elementary School because SBPA [redacted] was in his chain of command, not because he believed SBPA [redacted] was in charge of the overall incident at the school. BPA [redacted] did not know who was in command or control of the incident. He did not know if it was an active shooter or barricaded subject. He believed it was his duty to act and "stop bad people doing bad things to other people."[172]

[170] Video footage captured by static camera located in Robb Elementary School, May 24, 2022.
[171] OPR interview of BPA [redacted], March 9, 2023, timestamp 00:35:50.
[172] *Id.* at timestamp 01:07:45.

BPA [redacted] (DRT SOD), interviewed on March 9, 2023. (Exhibit 156)

On May 24, 2022, BPA [redacted] was working as a BORTAC Operator conducting a plain clothes surveillance operation in Del Rio, Texas, when he learned about the shooting at Robb Elementary School through the stash house operation group chat text shared with other agents and officers from other agencies. BPA [redacted] confirmed the information through UVA, then returned to DRT to obtain his breaching tools, explosive breaching charges, and other equipment before proceeding to Uvalde. He received instruction to deploy while already enroute to DRT in his unmarked GOV with lights and sirens activated.

BPA [redacted] called another breacher he had previously trained with to discuss different scenarios and breaching options. He arrived at the Hillcrest Memorial Funeral Home at approximately **12:47:00 PM**, where he parked and prepared explosive breaching charges, then ran to the west entrance of the school. He entered the building and saw people treating children and carrying children out and was informed the assailant had already been stopped. He was requested to assist with clearing the other classrooms, then exited the building after an announcement that everyone who was not actively working on treating a victim needed to depart. He met with other BPAs at a tree near the front of the school to take accountability of the personnel onsite, then met at UVA for a debrief. At UVA, a secondary threat was announced. BPA [redacted] deployed to the Uvalde High School with other BPAs and assisted with perimeter security and the release of students to their parents. He then went back to UVA before returning to Del Rio.

BPA [redacted] did not know who was in command and control at Robb Elementary School. He observed multiple law enforcement agencies on site. BPA [redacted] stated USBP's authority to respond is related to any law enforcement entity responding to an active shooter or felony being committed. He believed he was expected to react as a first responder.

BPA [redacted] (DRT SOD), interviewed on March 20, 2023. (Exhibit 201)

On May 24, 2022, BPA [redacted] was scheduled to begin work at [redacted]. He was having lunch with his father in Leakey, Texas, when BPA [redacted]'s wife called to notify him of a shooting at Robb Elementary School. BPA [redacted] concluded his lunch and prepared to leave, then received a group text from SBPA [redacted] asking all BORTAC members to report to the school. BPA [redacted] drove home to get his PIV card, then drove to UVA to get his GOV and issued gear.

He arrived at Robb Elementary School at **12:47:03 PM**, parked approximately 50 yards from the school in a resident's yard, and was approached by a frantic parent who couldn't find her child.[173] He told the parent he was not sure exactly what was going on and departed toward the school. He encountered WC [redacted], who directed him to the west door, where he entered. SBPA [redacted] motioned for him to approach, and BPA [redacted] ran to the group of law enforcement officers near the classroom doorway. There was an exchange of gunfire at about the time he passed in front of Classroom 111, and he spun hard to his left behind drywall and felt

[173] Video footage captured by static camera located in Robb Elementary School, May 24, 2022.

an impact to his head. He leaned against the hallway wall, then walked toward daylight shining through the exterior door at the south end of the hallway and exited the building, where he met BPA [redacted].

BPA [redacted] took off his own hat to observe BPA [redacted]'s reaction to determine how badly he was injured. The lack of BPA [redacted]'s reaction comforted him, and he told BPA [redacted] to go back into the school and assist. BPA [redacted] noticed pain in his foot and leg and checked the wounds. Medical personnel approached him to provide aid, but he rerouted them to the school to support the medical needs inside the classrooms. BPA [redacted] walked toward his GOV through the same gate he had used earlier to enter the school and received a ride to the hospital from an unknown BPA. He instructed the other BPA to take his GOV and gear to UVA, saying he would retrieve it later.

BPA [redacted] received x-rays of his head, leg, and foot, which identified shrapnel. Doctors removed the shrapnel from his head but left it in his leg because removing it would cause more damage. After BPA [redacted] was discharged from the hospital, PAIC [redacted] planned to drive him to UVA, but BPA [redacted] learned [redacted] was nearby, so he joined her instead, and she took him to UVA. From there, he drove his personal truck home.

BPA [redacted] believed the situation at Robb Elementary School was a possible barricaded shooter. He stated that radio traffic was unintelligible and conflicting. He was unsure of who was in charge of the scene, but it was apparent that if BORTAC didn't handle the situation, no one else would. BPA [redacted] observed a very relaxed posture by the other law enforcement officers in the school hallway when he entered, as if they were waiting for instruction from someone. He indicated the number of law enforcement personnel present was confusing for what he believed was a contained subject. BPA [redacted] stated there is a moral responsibility to respond to incidents like the one at Robb Elementary School.

PAIC [redacted] (USBP Tucson Sector, Nogales Station, Arizona), interviewed on March 13, 2023. (Exhibit 166)

On May 24, 2022, PAIC [redacted] was PAIC of BORTAC at DRT headquarters. While eating lunch in his GOV, he received a phone call or notification via service radio that there was a shooting in Uvalde. He notified (A)PAIC [redacted] that he was going to respond to Uvalde to assist, then traveled in the unmarked GOV with emergency equipment activated, following directly behind a TXDPS trooper. PAIC [redacted] called SBPA [redacted] and told him he had authorization to make all tactical decisions necessary and do whatever was needed. PAIC [redacted] received a phone call from (A)DCPA [redacted] that BORTAC was heading to the scene and had authorization to do whatever was needed.

PAIC [redacted] arrived at Robb Elementary School at approximately **12:50:00 PM**, parked his GOV, donned his body armor, and moved toward the northwest gate of the school with the goal of locating SBPA [redacted]. After entering the school grounds, he approached the west entrance and observed BPAs exiting the west entrance with wounded victims. He learned from an unknown source that the threat was over. PAIC [redacted] then attended a meeting with all BPAs

who were not actively involved in something at that moment and was instructed to return to UVA. While at UVA, he received notification of a potential second shooter, so he deployed the BORTAC and BORSTAR teams to local schools to provide security. He drove his GOV to Uvalde Junior High School and Uvalde High School to help with perimeter security and ensure all BORSTAR and BORTAC BPAs were okay. He left the high school and returned to UVA, then traveled to the Uvalde Regional Medical Center to visit BPA [redacted], who was wounded. He stayed until BPA [redacted] was discharged, then drove BPA [redacted] to [redacted], who took BPA [redacted] home. PAIC [redacted] drove back to DRT before going home.

PAIC [redacted] stated he received a lot of conflicting and inaccurate information during the incident. He observed a lot of chaos at Robb Elementary School but did not feel a sense of urgency among the responders present. He was unsure if the situation had changed from an active shooter to a barricaded subject, but based on the actions of the other law enforcement officers he observed as he arrived on-scene just prior to the breach, it did not appear to be an active shooter.

SBPA [redacted] (USBP Tucson SOD, AZ), interviewed on March 6, 2023. (Exhibit 133)

On May 24, 2022, SBPA [redacted] was conducting line watch operations as a member of BORTAC in the USBP Del Rio Sector. He was working at a remote location on [redacted], north of Eagle Pass, Texas, when he received notification from an AMO pilot on a tactical radio channel saying there was a school shooting, and the pilot was leaving the area to assist. SBPA [redacted] wondered why the AMO pilot didn't help transport other BPAs to the school, but SBPA [redacted] notified the other team members and said they needed to start getting ready to leave in case they were deployed to the school. Shortly after the AMO pilot left the area, SBPA [redacted] received a phone call from SBPA [redacted] telling him to get the BORTAC team to the school.

BORTAC BPAs split into two teams and drove in two GOVs with emergency equipment activated. SBPA [redacted] maintained communication with SBPA [redacted] via text messages during the trip. He arrived at Robb Elementary School at approximately **12:50:00 PM**, parked approximately two blocks away and went to the funeral home after encountering BPA [redacted] preparing breaching charges. SBPA [redacted] heard gunfire and ran to the west entrance of the school with the goal of entering, finding SBPA [redacted] and other team members, and providing medical assistance. He entered Classroom 112 and was told everyone was deceased. He entered Classroom 111 and spoke to SBPA [redacted], then told the BORTAC BPAs to clear the classrooms in the west building.

SBPA [redacted] exited through the south entrance to gather the rest of the BORTAC BPAs outside. He provided a situation report to his PAIC, (A)DCPA, and CPA. They instructed him to have BORTAC and BORSTAR members not actively involved in something rally in front of the school, so he walked around the building and notified everyone he could find to report there. After learning a medical helicopter was enroute and needed to land, he established a landing zone, but a few minutes later he was told the helicopter was not coming. SBPA [redacted] reported to the rally point in front of the school, where everyone was requested to report to UVA

at **2:00:00 PM**. They received information about a secondary threat and SBPA [redacted] responded to Uvalde Middle School, where he assisted with evacuating children to the gymnasium and ultimately to their parents. He returned to UVA before returning to [redacted], then went home.

SBPA [redacted] understood the incident was an active shooter situation with a barricaded subject and the subject probably had hostages. SBPA [redacted] believed everyone on scene was trying to be helpful, but there were too many law enforcement officers on scene. He observed the responses seemed separated. He stated BORSTAR and paramedics maintained command and control regarding patient triage and treatment and observed that BPAs outnumbered state and local law enforcement officers throughout the scene. SBPA [redacted] stated he never located an incident command post anywhere. He believed that PAIC [redacted] had overall control outside the school until transferring control to (A)DCPA [redacted] and CPA Owens, then to TXDPS after the children were evacuated because TXDPS started processing the crime scene.

SBPA [redacted] stated that communication could have been a lot better, especially between the north and south groups in the hallway. He believed Uvalde was not prepared for a mass casualty event, stating there was no formal organization at the scene, and it was total chaos. SBPA [redacted] believed USBP's authority to respond was based on a federal law banning guns on school property and that an active threat to life requires a response from all law enforcement.

BPA [redacted] (DRT SOD), interviewed on March 9, 2023. (Exhibit 155)

On May 24, 2022, BPA [redacted] was working at a ranch in Eagle Pass, Texas, with other BORTAC BPAs when SBPA [redacted] told him to get his stuff because they had to go. The BORTAC agents consolidated into GOVs and drove to Uvalde. They heard radio transmissions indicating there was an active shooter at Robb Elementary School. They arrived at the corner of Nicolas Street and Geraldine Street at approximately **12:50:00 PM** and ran toward the school. They entered the west entrance and walked down the hallway to Classroom 112, where a Texas Ranger informed them that the classroom was now considered a crime scene, and everyone had to leave.

SBPA [redacted] directed BPA [redacted] to go and find BPA [redacted]. BPA [redacted] and other agents cleared Classrooms 103, 104, and 109, then were instructed via radio to exit the school and meet at the tree by the north end of the school. There, they were ordered to report to UVA. At UVA, they were informed of a threat by a potential second shooter, so BPA [redacted] went to Morales Junior High School to assist with security and crowd control.

BPA [redacted] stated that when local law enforcement agencies see BORTAC agents, it is assumed that BORTAC will handle the situation, although he did not feel that BORTAC was in charge. He stated USBP has the authority to respond when a felony is being committed and as first responders it is the right thing to do.

BPA [redacted] (DRT SOD), interviewed on March 14, 2023. (Exhibit 170)

On May 24, 2022, BPA [redacted] was working field operations with BORTAC agents near Eagle Pass North Station's area of responsibility when the helicopter pilot who was assisting them called over the radio that there was an active shooter in Uvalde. After freeing his vehicle from being stuck in the mud, BPA [redacted] picked up two other BPAs and proceeded to Uvalde. He arrived at Robb Elementary School at approximately **12:50:00 PM**, where the streets were very congested with first responder and civilian vehicles. He parked a few blocks away and ran toward the school, where he then learned the assailant had been "neutralized." He entered the building, cleared the rest of the building for potential threats, then exited through the south door. He met with other agents and supervisors on the north side of the building, where they were instructed to head to UVA for debriefing. During the debrief, they were informed there was another possible threat at a nearby school, so they responded to the Uvalde High School area. They cleared the area after determining there was no threat to the school.

SBPA [redacted] (DRT SOD), interviewed on March 9, 2023. (Exhibit 151)

On May 24, 2022, SBPA [redacted] was at DRT on day shift as administrative supervisor. During a meeting with WC [redacted], another BPA informed them about an active shooter in Uvalde. SBPA [redacted] left the office, ran to his vehicle, and began to put on his gear. He told BPA [redacted] to drive the USBP BearCat to Uvalde as soon as possible. SBPA [redacted] drove to Robb Elementary School in a GOV with the emergency lights on and arrived at approximately **12:50:00 PM**. He parked and approached the school on foot. While enroute, he and encountered BPA [redacted] and asked if he was good.

SBPA [redacted] entered the school and moved through the hall, then entered Classroom 112, where an EMT told him there was nothing they could do for the children and that everyone was deceased. SBPA [redacted] then entered Classroom 111 and asked SBPA [redacted] where he needed him. SBPA [redacted] said he didn't know. SBPA [redacted] exited the school after Texas Rangers told everyone to exit so they could secure the crime scene. He went back to his vehicle to drop off his gear and get medical gear, then returned to the school but was not permitted to enter.

He gathered with other USBP personnel at a tree in front of the school and checked on his teammates, then went to the hospital to check on BPA [redacted]. SBPA [redacted] advised BORTAC command staff that BPA [redacted] was doing well. While at the hospital, hospital staff requested SBPA [redacted] and BPA [redacted] help escort parents to identify children, so he went to the hospital lobby to do that. He told BPA [redacted] that they could not keep escorting families because "it was not their job."[174] He reunited family members who had broken through the access doors with the parents who had been escorted through, then left and got BPA [redacted]'s wife and brought her to BPA [redacted]'s room. SBPA [redacted] stayed at the hospital until approximately **7:00:00 PM**, then went home.

[174] OPR interview of SBPA [redacted], March 9, 2023, timestamp 00:48:40.

Initially, SBPA [redacted] felt they would receive a stand down order because an active shooter situation usually ends quickly. He thought it might be a barricaded subject since it was taking so long to resolve, although he didn't hear anyone say that. He observed there was an open mic for a prolonged period, during which he heard information that caused him to feel the personnel at Robb Elementary School did not know the location of the suspect. He observed the scene at the school was chaotic and it did not appear that anyone was in command. He observed parents screaming and law enforcement officers standing around looking away from the school.

SBPA [redacted] (DRT), interviewed on February 14, 2023. (Exhibit 75)

On May 24, 2022, SBPA [redacted] was on the DRT Sector Intelligence Unit, covering Uvalde and Carrizo Springs, working out of EGT when he received a phone call from a BPA at CAR advising there was an active shooter at Robb Elementary School in Uvalde. SBPA [redacted] reported the active shooter situation via group text message to local supervisors and called the Border Intelligence Center (BIC) in Del Rio and advised them to deploy the USBP Special Operations Detachment and Emergency Medical Services assets to the school. Although he did not recall the time he called the BIC, SBPA [redacted] believed he relayed the information about the incident at Robb Elementary School before anyone at the BIC was aware of the situation.[175] He attempted to call BPA [redacted], who was on approved leave to attend his [redacted] award presentation at Robb Elementary School, but BPA [redacted] did not answer.

SBPA [redacted] decided to go to Uvalde to account for his personnel and see if he could help. He drove in an unmarked GOV with emergency equipment activated. When he arrived at the Hillcrest Memorial Funeral Home approximately between **12:55:00 PM** and **1:05:00 PM**, a BPA advised him that the threat had been eliminated. SBPA [redacted] parked five blocks away from Robb Elementary School and attended a briefing near a tree in front of the school. He later walked over to the funeral home, then attended a **2:00:00 PM** muster at UVA, where he learned of a potential threat to the Uvalde High School. He drove to the high school and parked 150 yards away to monitor the scene from inside his vehicle. SBPA [redacted] believed USBP had the authority to protect and serve and was there to secure the scene and assist other law enforcement personnel.

SBPA [redacted] (DRT SOD), interviewed on February 28, 2023. (Exhibit 103)

On May 24, 2022, SBPA [redacted] was working in the field near Eagle Pass, Texas, apprehending a group of migrants. While tending to a USBP vehicle that was stuck in the mud, he received texts on his personal phone about an active shooter at Robb Elementary School. He directed BORTAC BPAs [redacted] and [redacted] to gather their gear and respond to the school while he stayed behind with a USBP canine to coordinate the movement and transfer of the migrants. After transport and transfer of custody, SBPA [redacted] dropped off the canine at [redacted] and traveled to Uvalde, arriving at Robb Elementary School between **1:05:00 PM** and **1:10:00 PM**.

[175] OPR interview of SBPA [redacted], February 14, 2023, timestamp 00:13:52.

He parked several blocks away and approached the funeral home. He called someone from his group, who told him the incident was over and to report to the Uvalde Border Patrol Station. When he got to UVA, he saw the BORTAC team exiting, so he caravanned with them to Uvalde High School, where the principal asked him to help maintain perimeter security. He informed parents that students would be released one by one and remained at the high school until **5:30:00 PM** or **6:00:00 PM**, then went to UVA for a short debrief.

SBPA [redacted] stated that initially the information he received via text was that there was an active shooter. However, while enroute to Uvalde, he heard the incident turned into a barricaded subject. He thought the incident would be quickly resolved but felt it was necessary to respond because USBP had been called to assist. He stated it did not seem there was any command and control in place upon his arrival at Robb Elementary School, and the funeral home appeared to be a consolidation point for student reunification with parents.

BPA [redacted] (DRT SOD), interviewed on March 3, 2023. (Exhibit 127)

On May 24, 2022, BPA [redacted] was with other BORTAC agents detaining a group of undocumented migrants on Burr Ranch when the pilot of the AMO helicopter that was assisting them stated over the radio that he had to leave because he got a call about a school shooting in Uvalde. Five minutes later, the BORTAC agents received texts on their personal phones about the shooting at an Uvalde school.

BPA [redacted] took BPA [redacted] to his vehicle and used a tow strap to get the vehicle out of the mud. BPA [redacted] stayed behind to transport the detained group while other BORTAC agents departed. After the detained group was picked up, BPA [redacted] headed to Uvalde in a GOV. At the checkpoint on Highway 90, he instructed BPA [redacted] to follow him to the school with the BearCat armored vehicle.

BPA [redacted] arrived at Robb Elementary School at approximately **1:20:00 PM**. He parked and was walking toward the school when he received a message to meet at the tree in front of the school. There, he was directed to go to UVA, so he left the school and went to UVA. While at UVA, everyone started talking about the girlfriend of the assailant who was allegedly going to shoot up the high school and everyone in the muster room was directed to head to the high school. BPA [redacted] arrived at the high school and stood guard on the southwest side for approximately 1.5 hours before all the students were evacuated. He went back to UVA with the BORTAC and BORSTAR agents, then left after about 30 minutes. He returned to the morning's location to retrieve the remaining vehicles, then went home.

BPA [redacted] did not know who was in command of the scene and was unsure what agencies were at Robb Elementary School. He did not know who was in charge at the high school and stated there is an understanding in the community that BORTAC will respond to school shootings because they have the best training. BPA [redacted] stated that if someone is in danger, it is USBP's responsibility to do something.

BPA [redacted] (DRT SOD), interviewed on March 20, 2023. (Exhibit 199)

On May 24, 2022, BPA [redacted] arrived at DRT and noticed BPAs running in the parking lot. They told him there was an active shooter in Uvalde. (A)PAIC [redacted] told BPA [redacted] to get the BearCat and respond to Uvalde. BPA [redacted] transferred his issued gear to the BearCat and drove to Robb Elementary School using lights and sirens. He arrived at approximately **1:20:00 PM**, parked near Geraldine Street and Farm to Market 1435, then ran with another BPA to the school. They were informed the door had been breached and there was not anything for them to do. BPA [redacted] joined other USBP personnel under a tree, where they learned of a secondary threat and were directed to respond to the high school. He drove the BearCat to the high school and parked at the student pickup point to provide security for students being dismissed to their parents, then returned to Del Rio.

BPA [redacted] stated he was unsure of who was in charge at Robb Elementary School. He indicated USBP has a responsibility to respond, and their role was to provide support to local law enforcement agencies.

BPA [redacted] (DRT SOD), interviewed on March 2, 2023. (Exhibit 123)

On May 24, 2022, BPA [redacted] was off duty at home in Del Rio, Texas. He received a text from SBPA [redacted] that there was a barricaded subject at a school in Uvalde. BPA [redacted] put on his BORTAC uniform, left his residence, and traveled in a GOV to Uvalde with the emergency lights activated. He arrived at Robb Elementary School at approximately **1:30:00 PM**, parked, and walked toward the school to join his teammates. He encountered PAIC [redacted], who advised him to go to UVA for a muster, so he returned to his GOV and drove to UVA.

While at UVA, he learned of another possible threat, so he and his teammates went to Morales Junior High School and provided perimeter security for approximately one hour. BPA [redacted] then returned to UVA and met with other BORTAC and BORSTAR agents in an informal muster. He left UVA and assisted other BORTAC agents to retrieve GOVs that were stuck in the desert.

BPA [redacted] stated he responded because it was his duty as a law enforcement officer, and he is always on call. He believed the incident to be a barricaded subject and believed local police departments were in command of the incident because when BORTAC responds it is always to assist other agencies. He stated USBP's role was to assist local and state police departments and that USBP has authority to respond to any incident if requested.

BPA [redacted] (DRT SOD), interviewed on February 28, 2023. (Exhibit 94)

On May 24, 2022, BPA [redacted] was conducting line watch operations north of Eagle Pass, Texas, when he received a text message on his personal cell phone from SBPA [redacted] telling BORTAC BPAs to immediately respond to Robb Elementary School for a shooting and that a person was barricaded. BPA [redacted] took a screenshot of the text and waited until another BPA finished transporting migrants to the highway, then rode with that BPA to BPA [redacted]'s

GOV. BPA [redacted] drove his GOV toward Uvalde with emergency equipment activated. He received a text to report to UVA and arrived there after **2:00:00 PM**, where he was immediately instructed to report to the Uvalde High School and provide security because there were other possible shooters. BPA [redacted]'s [redacted] was an employee at Uvalde High School, so he went to [redacted] location first to make sure she was okay, then started working with her and helping at the school. He helped with traffic and to maintain some type of order as parents arrived to retrieve their children. He returned to UVA for an out-briefing, traveled to the ranch area to retrieve another GOV that was stuck in the mud, then went home at approximately midnight. BPA [redacted] observed that as other law enforcement agencies arrived, they were under their own chain of command and were occupied with their own responsibilities.

Deputy Patrol Agent in Charge (DPAIC) [redacted] (COM), interviewed on February 28, 2023. (Exhibit 97)

On May 24, 2022, DPAIC [redacted] was acting PAIC ((A)PAIC) of the Special Operations Detachment (SOD) for DRT overseeing operations and administration of BORSTAR and BORTAC teams. Although PAIC [redacted] (USBP Tucson Sector, Nogales Station, Nogales, Arizona) was permanently assigned over the DRT Special Operations Detachment, PAIC [redacted] was temporarily detailed to TXDPS.

(A)PAIC [redacted] received a phone call from an unknown person at the DRT Border Intelligence Center (BIC) that there was a shooting incident at Robb Elementary School in Uvalde. Approximately 15-20 minutes later, he received additional information that it was a male with a rifle inside the school. Upon learning this additional information, (A)PAIC [redacted] called SBPA [redacted] and SBPA [redacted] on the phone and informed them about the preliminary information and initiated the process of deploying SOD personnel to the scene. (A)PAIC [redacted] remained in Del Rio and did not respond to Uvalde. As information about personnel and resource deployments came into the DRT SOD office, he kept track of them by listing the names of responding SOD personnel on a whiteboard in the office. Additionally, he authorized BPA [redacted] to use the response truck to take EMTs to respond.

Due to the gravity of the situation, PAIC [redacted] directed (A)PAIC [redacted] to remain at DRT to coordinate SOD efforts while PAIC [redacted] responded to Uvalde. (A)PAIC [redacted] relocated from the SOD office to the radio room at the BIC to maintain clear lines of communication among all DRT assets responding to the incident. (A)PAIC [redacted] helped coordinate various facets of the SOD response, including tactical considerations and medical response considerations. He also prepared to conduct an after-action plan and ensured DRT staff were apprised of SOD plans. (A)PAIC [redacted] stated he backed off direct communication with the SOD commanders once PAIC [redacted] responded, but he continued to listen to radio communications and identify field requirements, including a landing zone for air evacuations. As (A)PAIC [redacted] received information in the BIC, he attempted to disseminate it to the SOD BPAs in the field via PAIC [redacted].

Beyond his initial contact with SBPAs [redacted] and [redacted], (A)PAIC [redacted] did not give any directions or guidance to personnel in the field, nor did he receive any guidance from more

senior USBP officials. (A)PAIC [redacted] understood the situation was a barricaded shooter until the team made entry, at which time he understood it was an active shooter situation. He stated that USBP standard practice would be for the SOD commanders to report to the highest ranking USBP official on site. He believed there was a clear lack of guidance at the scene and at no time did he ever know of any one person or entity that was in command or control at Robb Elementary School. DPAIC [redacted] stated that any USBP response is a support role and SOD would not typically deploy without being requested to do so by another agency. He mentioned that radio communications were disrupted by an open mic for one to three minutes.

MEDICAL RESPONDERS

Several medically trained CBP personnel, including members of BORSTAR, responded to the incident at Robb Elementary School on May 24, 2022. These medically trained personnel set up a medical triage area inside the west building, established a medical response plan, and provided medical care to victims. Other CBP personnel not having received advanced medical training also provided care to victims. The following is a summary of the interviews provided by medically trained CBP personnel and other CBP personnel who provided medical treatment:

SA [redacted] (Homeland Security Investigations (HSI)), interviewed on March 18, 2023. (Exhibit 194)

On May 24, 2022, SA [redacted] was serving as a BPA-I at UVA when he observed a TXDPS vehicle drive past him near Uvalde High School at a high rate of speed with its emergency equipment activated. He recognized the trooper as being best friends with a UCISDPD officer. BPA-I [redacted] followed the TXDPS vehicle in his unmarked GOV to the intersection of Grove Street and Geraldine Street, arriving at **11:38:35 AM**.[176] BPA-I [redacted] exited his vehicle and spoke with a TXDPS trooper. The trooper stated that there was a shooter in the school and asked BPA-I [redacted] to call for assistance.

BPA-I [redacted] called UVA and told the station about the presence of a shooter at Robb Elementary School and requested all units respond. He put on his vest and Glock 26 handgun, then ran toward the school. He entered the west door of the west wing, where officers in the hallway had just taken fire from the assailant. He asked where the assailant was and stated he "was with them to go in."[177] They were moving toward the classroom when someone in the hallway told everyone to hold up and make a plan prior to making entry.

BPA-I [redacted] left the hallway with two UCSO deputies and moved to the south doorway of the school to provide coverage and ensure the assailant did not exit. Upon receiving notification that children were going to be evacuated through exterior windows, he went to the window of Classroom 102 and assisted, then moved to the next room to the north, broke out the windows, and assisted with the evacuation of children and teachers. He received an alert of an injured person in the parking lot area, so he retrieved his EMT bag and placed it near the parking lot so others could use it.

[176] Video footage captured by static camera located in Robb Elementary School, May 24, 2022.
[177] OPR interview of SA [redacted], March 18, 2023, timestamp 00:30:38.

He moved back to the south side of the building, then moved to assist other law enforcement officers evacuating people from Classrooms 19–23. He then moved to the next building with Classrooms 13–18 and assisted with evacuations. He went to the cafeteria and assisted with evacuations from there, then moved back toward the south doorway of the west building when he heard gunshots, which he assumed to be the breach of the classroom. He then entered the hallway of the west wing through the south door and moved toward Classroom 111.

BPA-I [redacted] entered the classroom, saw that the assailant was deceased, and observed that no one in the classroom was directing anyone about which victims to prioritize or where to place them for treatment. He assisted with getting children out of the classroom and carried three children to the medical triage area, then someone yelled for all non-EMTs to get out of the classroom. He went to the hallway, where he was requested to assist in moving deceased children from the hallway to Classrooms 130 and 131. He exited the west doorway and took over CPR on [redacted] from another BPA who appeared tired. BPA-I [redacted] checked in with other BPAs, retrieved his EMT bag from the parking lot, and met with USBP personnel at a tree on the north side of the building. He then returned to his vehicle and departed for UVA by himself.

While enroute, he heard about another possible shooter at the high school, where his wife and oldest child were, so he responded to the high school with another BPA and assisted with evacuating children until **5:30:00 PM**. He rendered aid to a dehydrated UPD officer until an ambulance arrived, then returned to UVA, retrieved his vehicle, and went home.

BPA-I [redacted] could not identify who was in command and control at any time. He stated UCISDPD Chief Arredondo was the only person who could have been in charge, but there was no active command and control initiated. BPA-I [redacted] identified that USBP's role was in a backup capacity.

BPA [redacted] (UVA), interviewed on March 6, 2023. (Exhibit 136)

On May 24, 2022, BPA [redacted] was on day shift assigned to camera and sensor duties changing batteries. While working at a ranch 10 miles west of Uvalde, he heard over the radio that all agents should report to Robb Elementary School. Immediately, he drove toward the school and arrived in less than 20 minutes, at approximately **11:50:00 AM**. There, he used his vehicle to block traffic down one of the streets near the school. He went to the west entrance of the school and asked every law enforcement officer he encountered if they had any information, but no one did. An unknown UPD officer told him the school police chief was in the classroom negotiating with the assailant. BPA [redacted] began assisting with the evacuation of children from Classrooms 102–106, then went to the south entrance and began evacuating children from Classrooms 108–110. He broke classroom windows and climbed into Classroom 109 through the window to assist the injured teacher, who was shot and could not move without assistance.

Prior to the breach, he staged near the south entrance. Immediately after the breach, he entered the south entrance and went toward the classroom. He carried a girl from the floor just outside the classroom to an EMT at the south entrance. He found a blanket and covered the girl, who

was deceased, then entered Classroom 112 and was told to leave the classroom if he was not a medic. He exited the school through the south entrance and gathered at the front of the school for a muster, where he was directed back to UVA. Shortly after arriving at UVA, he left and assisted with securing and evacuating several local schools.

BPA [redacted] identified that SBPA [redacted] took charge in the school hallway. BPA [redacted] stated the entire incident was chaotic and that USBP responded to the incident to assist the local police departments. He identified that BPAs took control of the situation because no one else was doing anything. BPA [redacted] stated USBP did not have the authority to handle situations like the Robb Elementary School shooting.

BPA [redacted] (UVA), interviewed on March 17, 2023. (Exhibit 192)

On May 24, 2022, BPA [redacted] was scheduled for a use of force training day. During a training break, he heard over a radio that there was an active shooter at Robb Elementary School and local law enforcement officers were requesting assistance. He immediately went to the UVA armory and got a rifle and hard plate body armor, then responded to the school with other BPAs in a marked GOV. He communicated with USBP dispatch while enroute to confirm the correct school.

When he arrived at Robb Elementary School at approximately **11:50:00 AM**, he entered the west entrance and inquired with local law enforcement officers about the situation, but they did not seem to know what was going on or what to do. He inquired if there were students or teachers in the surrounding classrooms but did not receive a definitive answer. Along with other BPAs, he began evacuating classrooms near the west entrance, including Classrooms 131 and 132, where there were two teachers but no students. The BPAs relieved a local law enforcement officer who was aimed in at the classroom with the barricaded subject and discussed that if the assailant began firing, they would go in.

BPA [redacted] briefed SBPA [redacted] when SBPA [redacted] arrived. Shortly after SBPA [redacted] arrived, they heard four gunshots and advanced toward the classroom. In the hallway, the law enforcement officers focused on finding the correct set of keys to open the doors to Classrooms 111 and 112. Initially, the plan was to unlock the doors to Classrooms 111 and 112 and simultaneously enter both classrooms. However, after SBPA [redacted] opened the door to Classroom 111, the decision was made to only enter through Classroom 111. Following SBPA [redacted] and others entering Classroom 111, BPA [redacted] heard a barrage of gunfire and dropped to the floor in the hallway. Once the shooting was over, BPA [redacted] got up and entered the classroom to assist with the victims.

He took victims to the medical triage area and assisted an EMT with a victim. He took the victim to an ambulance outside, then reentered the school and assisted with clearing the rest of the building. He exited through the south door, then ran back to the triage area to gather medical supplies and deliver them outside. He returned again to the triage area, but no additional assistance was needed, and he was informed that the school was a crime scene, and no one was allowed to enter.

He then mustered at a large tree on the north side of the school, where he was instructed to report to UVA. At UVA, he changed out of his bloody uniform, sent texts to family and friends to let them know he was okay, and overheard a report of additional threats at other schools. He remained at UVA, then went home.

BPA [redacted] believed local law enforcement officers were in command of the scene because they were sending a hostage negotiator. They informed him that the assailant had fired upon them and that it was a barricaded subject situation. BPA [redacted] believed it was his duty as a BPA to respond and assist and identified that BPAs responded in a support role to assist local law enforcement officers.

BPA [redacted] (UVA), interviewed on March 22, 2023. (Exhibit 213)

On May 24, 2022, BPA [redacted] was at the UVA processing area when he heard a call over the radio regarding a possible school shooting at Robb Elementary School. He left the processing area, went to the armory, checked out an M4 rifle, then rode with another BPA to Robb Elementary School, following another BPA they saw enroute.

He walked toward the school and entered the school through the west entrance at **11:51:15 AM**, where he observed a mixture of law enforcement personnel from UPD, UCSO, and TXDPS.[178] He and another BPA cleared the classrooms behind the law enforcement officers in the hallway. During that time, he observed law enforcement officers going in and out of the school and a uniformed police officer calling out to the shooter and telling him to give himself up.

After BORTAC and BORSTAR team members arrived in the hallway, BPA [redacted] heard three to four gunshots from within the classroom. A team of law enforcement officers lined up in two columns along the hallway and moved toward the doors to Classrooms 111 and 112. BPA [redacted] saw BPA [redacted] (DRT) test keys on other doors to identify a master key, although he did not know where the keys went afterward. While in the hallway, BPA [redacted] recalled hearing that a child had called 9-1-1 from inside the classroom.

BPA [redacted] saw a BPA with a shield enter Classroom 111, followed by other officers lined up. As BPA [redacted] was about to enter the classroom, he heard a door at the back of the classroom swing open, followed by gunfire, and saw the assailant come out of a cabinet firing. BPA [redacted] did not have a clear shot but could tell the assailant was getting shot because his body was flailing as he went down to the ground. After the breach, he cleared the adjacent classroom, then went back to the first classroom to see if there were any survivors.

He assisted a boy who stood up from the pile of children and escorted the boy out the door to another law enforcement officer. BPA [redacted] carried children out of the classroom to the medical triage area, then cleared the other classrooms across the hall with other law enforcement officers and did not find anyone. He went outside because there were so many other people in the hall and helped BPA [redacted] wash the blood off his arms. BPA [redacted] met with CPA

[178] Video footage captured by static camera located in Robb Elementary School, May 24, 2022.

Owens and other BPAs for a briefing, then gave another BPA a ride back to UVA and returned his rifle to the armory.

While enroute to Robb Elementary School, he believed he was responding to a school shooter situation. Upon arriving at the school, he thought it was a barricaded subject based on information from another law enforcement officer. He observed that radio traffic was chaotic and at one point there was a "hot mic" that prevented anyone else from transmitting. He stated it was difficult to understand what was being broadcast. When BPA [redacted] arrived at Robb Elementary School, it did not appear there was any command and control outside the school. He was not aware if an incident command was established, and he believed UPD was in charge. BPA [redacted] did not see that anyone from USBP was in command and control, but identified that when SBPA [redacted] arrived, SBPA [redacted] took control.

BPA [redacted] identified that the situation in the school was chaotic with law enforcement officers going in and out. BPA [redacted] identified that his role at the incident was to provide backup to UPD and stated it has been USBP's past practice to assist other law enforcement agencies when they request assistance.

BPA [redacted] (DRT SOD), interviewed on March 13, 2023. (Exhibit 168)

On May 24, 2022, BPA [redacted] was on day shift performing line watch with another BORSTAR BPA northwest of Eagle Pass, Texas, when he received a group text from SBPA [redacted] stating there was an active shooter at an elementary school in Uvalde and a subsequent message ordering everyone in the group text to respond to Uvalde. BPA [redacted] deployed toward Uvalde in his unmarked GOV. While enroute he overheard a prolonged hot mic moment.

He arrived at Robb Elementary School at approximately **12:25:00 PM**, parked, put on his gear, and ran toward the school. He dropped his radio while running and had to run back to get it, then returned to the school and entered through the west entrance. After the breach, he took a deceased child from another BPA and helped carry the body to the medical triage area. He entered Classroom 111 and carried a child out to the medical triage area. He confirmed children were deceased by checking for carotid pulses. He exited the school through the west entrance after TXDPS ordered everyone out to preserve the crime scene. He reported to the tree north of the building for a muster, where he was instructed to meet at UVA in 30 minutes. When he arrived at UVA, he was informed about a second threat and decided to respond along with other DRT SOD members to Morales Junior High School to provide security around the school. He remained there until everyone was evacuated, then returned to UVA, where he changed out of his uniform and went home.

BPA [redacted] believed TXDPS was in charge based on the number of officers outside the school perimeter. He did not feel USBP was in charge but observed SBPA [redacted] lead the group of law enforcement officers who entered Classroom 111. BPA [redacted] stated that in an active shooter event, his role was to stop the threat and support his team and other agencies.

BPA [redacted] (CAR), interviewed on March 21, 2023. (Exhibit 205)

On May 24, 2022, BPA [redacted] was at CAR assigned to day shift on field duties near Texas Highway 57 when, either via text or radio, he heard that there was an active shooter inside Robb Elementary School. BPA [redacted] decided, along with another BPA, to respond to the scene. They drove straight to the school, arriving at approximately **12:25:00 PM**, and parked several blocks away. He put on his ballistic vest and helmet, took his M4 rifle and medical bag, and walked to the school.

BPA [redacted] encountered PAIC [redacted] and asked if PAIC [redacted] was okay; PAIC [redacted] said no because his child was inside the school. BPA [redacted] entered the school through the west entrance and spoke with BPA [redacted], then assisted with setting up a triage area. They decided BPA [redacted] would assist with breaching the classroom.

He approached the classroom after hearing gunshots and someone yell "shooter down." BPA [redacted] identified a male teacher being dragged from the classroom as a potential patient. He assisted another BPA with looking for signs of life in the pile of children in Classroom 112. He checked four or five and determined none had signs of life. He determined all the children in Classroom 112 were deceased. He took over performing lifesaving efforts on a boy from BPA [redacted] and took the boy to a nearby ambulance, but the boy did not show signs of life.

He attempted to reenter the school through the west entrance but was denied entry by a TXDPS trooper. BPA [redacted] met with other BPAs around a tree near the front of the school, where all BPAs were instructed to report back to UVA. He walked alone to his vehicle. At UVA, he was instructed to report to any local Uvalde school to assist with security upon being informed of the possibility of another shooter. He arrived at Dalton Middle School and provided security on the back side of the school. He remained in his vehicle for several hours before receiving instructions to report back to UVA.

BPA [redacted] (USBP International Falls Station, Minnesota), interviewed on March 10, 2023. (Exhibit 164)

On May 24, 2022, BPA [redacted] worked at UVA providing less lethal instruction to BPAs from UVA. During a training break, SBPA [redacted] notified BPA [redacted] that there was a shooting at a local school. BPA [redacted] went to the armory, retrieved his rifle and keys to a marked USBP vehicle, put on his duty belt, handgun, body armor, and retrieved his EMT bag. He saw SBPA [redacted] driving a USBP vehicle with emergency equipment activated and decided to follow SBPA [redacted]. He parked at the intersection of South Grove Street and Geraldine Street at approximately **12:10:00 PM** and ran toward Robb Elementary School with his rifle. Near the school, BPA [redacted] saw the assailant's truck in a ditch, and spoke to BPA [redacted], who was guarding the truck and weapons found near it. BPA [redacted] returned to his truck to retrieve his EMT bag from his vehicle and walked back toward the school. He left the EMT bag near a Dodge Charger and approached a group of law enforcement officers north of the west entrance to the school.

He assisted with evacuating students and teachers from classrooms, then went to the south entrance of the building, where he observed a UPD officer with a ballistic shield and told the officer he should be inside. BPA [redacted] told a TXDPS trooper to accompany him into the school, and the three of them entered through the south entrance. BPA [redacted] heard four shots fired and pushed the officer with the shield forward into the hallway. The three of them positioned near a classroom door on the west side of the south hallway. BPA [redacted] asked UCISDPD Chief Arredondo if a sniper was available; the chief said no. BPA [redacted] asked about using a BearCat to enter the classroom and someone said they didn't have one. BPA [redacted] asked if students were in the classroom with the assailant and no one responded.

After the BORTAC breach, BPA [redacted] entered the classroom and assisted with evacuating a student and attempted CPR on her before realizing she was deceased. He reentered the school without his rifle and assessed eight or nine students. He asked if the classroom was a crime scene and BPA-P [redacted] said yes, so BPA [redacted] left the classroom. He checked students who did not have clearly fatal wounds for a pulse and breathing before determining they were deceased. He advised another EMT to start chest compressions on a child, then asked the BPA working on the child if he needed to be switched out and the BPA said yes. BPA [redacted] continued trying to provide air to the child but was unsuccessful and began moving the child toward an ambulance.

After the child departed in the ambulance, BPA [redacted] decided to assist at the Uvalde Memorial Hospital. He went to the emergency room and asked a nurse where he could assist. The nurse pointed him to follow a doctor and the doctor directed him to handle the initial assessments of children yet to arrive with minor injuries. BPA [redacted] left the emergency room upon hearing radio communications regarding a social media threat from the girlfriend of the assailant and drove to Uvalde High School. He parked near the front of the school and encountered other law enforcement officers and agreed to search the school together with them.

The security guard let them in, and BPA [redacted] announced that everyone should get into a room. He moved down the hallway, searching bathrooms and classrooms. He heard a radio communication about shots in Classroom 606, but he was near Classroom 606 and did not hear anything. He exited the school when BORTAC arrived and returned to his vehicle, then drove to UVA, where he unloaded and secured his equipment. He obtained a clean uniform, changed into it, and took photos of his dirty uniform pants and boots, then went home.

BPA [redacted] stated he did not know if anyone was in charge of medical treatment prior to the breach. After the breach, BPA [redacted] explained that medical treatment involved dynamic leadership with the most knowledgeable individual making decisions. He stated he responded to Robb Elementary School because it was a violent felony that required numerous agencies to respond and explained that BPAs are expected to respond with firearms and body armor. BPA [redacted] believed UCISDPD Chief Arredondo should have been in command and control but could not identify who was in command and control at any time.

BPA [redacted] (BRA), interviewed on March 10, 2023. (Exhibit 159)

On May 24, 2022, BPA [redacted] was assigned to BPA field training and was interdicting a group of migrants in the [redacted] area along with a CBP helicopter when the pilot informed them that he had received an urgent request for assistance and was departing the area. Another BPA received information about a shooting happening in Uvalde involving a school, and the BPAs decided to return to BRA to verify the situation. There, they were informed that there was a shooting at Robb Elementary School and they needed to respond. BPA [redacted] drove with another BPA toward the school in a USBP-marked GOV with lights and sirens activated. They arrived at the school at approximately **12:15:00 PM** and were stopped at the entrance by unknown law enforcement officers who informed them that only EMTs and paramedics were needed inside. BPA [redacted] stated he was previously a medic and was then allowed to enter through the west entrance door.

He assisted with setting up the medical triage area by the bathrooms and water fountain. After the breach, he attempted to stop an officer who was carrying a deceased child outside to prevent onlookers from seeing the child, but the officer took the child outside, so BPA [redacted] covered the child with a blanket and asked another law enforcement officer for assistance moving the child back inside the school. He applied a tourniquet to the arm of a male teacher who had a gunshot wound to the arm and asked two law enforcement officers to take the teacher to an ambulance. BPA [redacted] moved deceased children into Classroom 132. He entered Classroom 111 and observed the scene, then went outside and assisted with chest compressions until EMS took over. He assisted with chest compressions on another teacher on a stretcher being carried to an ambulance before meeting with other BPAs by a tree. He then left to report to UVA for a briefing, then returned home.

Upon arriving at the school, BPA [redacted] assumed the assailant was deceased or in custody. He did not know the scene was still active and did not know who was in command. He believed CBP had authority to respond because there was a threat to human life.

BPA [redacted] (BRA), interviewed on March 6, 2023. (Exhibit 139)

On May 24, 2022, BPA [redacted] was tracking a group of migrants with the assistance of a CBP helicopter when the pilot relayed that he had to break off and respond to a possible active shooter call. Around the same time, BPA [redacted]'s wife inquired with him if he knew [redacted] Robb Elementary School, was on lockdown; he responded that he had read about it on social media but thought it was probably locked down related to a bailout. A few minutes later [redacted] called back and was upset because [redacted] had been informed there was a shooting at the school. BPA [redacted] decided to respond to the school along with two other BPA trainees because he is an EMT and because [redacted] was there.

He drove to Robb Elementary School with two BPA trainees in a marked GOV with emergency lights activated and activated the sirens when encountering traffic. When they arrived near Robb Elementary School at approximately **12:15:00 PM**, BPA [redacted] observed the streets were backed up and there were many parked vehicles blocking the streets and people pacing back and forth in

the streets and on the sidewalks. He asked another BPA to clear traffic so he could park, then all the BPAs ran toward the school. BPA [redacted] inquired where the EMS triage was going to be set up and where they could help. A TXDPS trooper said they needed to secure the area around the funeral home and help with getting the crowd back. BPA [redacted] told the crowd to move back. He told BPA-T [redacted] to write down all the names of all the BRA BPAs who were on site. He asked a father in the crowd to help get the crowd back, then went to the school upon hearing a radio transmission that law enforcement officers were going to breach the classroom.

BPA [redacted] advised a TXDPS medic he would provide support. After the breach, he waited to hear "all clear" but never did. BPA [redacted] entered Classroom 111 or 112 to look for any live children. He helped carry out one child and applied a tourniquet and chest seal. He stayed in the hallway and looked for work, then assessed and assisted another injured victim, instructing that they be taken to the ambulance. BPA [redacted] stayed with [redacted]'s husband to provide support.

BPA [redacted] stated it appeared that TXDPS had command and control. He thought he was responding to either an active shooter or barricaded subject. He knew deceased people should not be moved because it was a crime scene and there were not many victims with signs of life. BPA [redacted] stated USBP responded in a support role to provide both medical and tactical assistance.

BPA [redacted] (UVA), interviewed on March 2, 2023. (Exhibit 147)

On May 24, 2022, BPA [redacted] was assigned to firearms qualifications at the firing range in Uvalde when he heard over the radio about a subject with a weapon and then heard about an active shooter at Robb Elementary School. He packed his medical equipment and drove to Robb Elementary School using lights and sirens. He parked 100–150 yards from the school in a residential yard at approximately **12:18:00 PM**, then ran with his medical bag toward the school. He entered the school via the west entrance, where he observed mass confusion and saw many people in the hallway.[179] After hearing four to five shots, the law enforcement officers in the hallway lined up outside Classrooms 111 and 112. BPA [redacted] lined up behind them in the hallway with two tourniquets in his hand in case a law enforcement officer was injured. After the breach, he yelled at law enforcement officers to prevent them from entering Classroom 111 until it was declared clear, then entered the classroom. There, he found a girl with a pulse and carried her to the medical triage area, where he instructed she be taken outside. He attempted to return to Classrooms 111 and 112 but was denied entry.

He went outside and relieved a TXDPS trooper performing CPR on a girl, then attempted to reenter the school, but was prevented from doing so. He joined BPAs at the tree on the north side of the school and washed his hands with water he kept in his vehicle, then returned to UVA to clean up some more and went home.

[179] OPR interview of BPA [redacted], timestamp 00:31:04.

BPA [redacted] stated that the scene at the school was mass confusion and no one person was giving orders. He observed that what people inside the school knew and were thinking was different from what people outside the school knew and were thinking. He was surprised by the number of people who responded to the incident and was unsure about who was in charge. He stated that USBP had a duty to respond and act on their law enforcement training.

BPA [redacted] (DRT SOD), interviewed on March 21, 2023. (Exhibit 202)

On May 24, 2022, BPA [redacted] was assigned to the day shift performing roving patrol on a ranch with other BPAs. He heard a CBP pilot transmitting over the radio that there had been an active shooter in Uvalde and saw a text message thread on his government cell phone stating there was an active shooter at an elementary school in Uvalde. BPA [redacted] left the ranch and started driving toward Uvalde, then received a text from an SBPA telling the group to start rolling. BPA [redacted] arrived at Robb Elementary School at **12:23:28 PM**, parked at the intersection of Geraldine Street and Nicolas Street, grabbed his gear, and ran toward the school.[180]

He set up a medical triage area, prepared equipment, and guided other EMTs and officers to establish the medical plan. When Classroom 111 was declared "clear," BPA [redacted] entered the classroom and removed a boy from a pile of children on one side of the classroom. He brought the boy to the triage area and began assessing the three other children who had also been brought out. The fourth child did not have any visible gunshot wounds, so BPA [redacted] placed that child on a gurney and took him outside with another officer. He returned inside the school to get his medical equipment, then continued working on the child outside. He returned inside and received permission from a TXDPS Ranger to confirm whether the casualties inside the classroom were deceased.

All BPAs were instructed to rally by a tree and report to UVA. BPA [redacted] rode with another BPA to UVA, where they learned of a second threat. BPA [redacted] responded to Dalton Elementary School because [redacted] attended school there. He aided at the pickup location to ensure the safe handoff of children to their parents, then returned to UVA and went home.

BPA [redacted] stated there did not appear to be a sense of urgency outside, but inside the Robb Elementary School building was more tense. He stated he had a responsibility to respond as a matter of morality and as a BPA under the oath to serve and protect. BPA [redacted] did not believe anyone was in command at Robb Elementary School.

SBPA [redacted] (DRT SOD), interviewed on March 8, 2023. (Exhibit 149)

On May 24, 2022, SBPA [redacted] was conducting operations on a ranch between Uvalde and Eagle Pass, Texas, when he received a text message from SBPA [redacted] advising of radio traffic of a shooting at Robb Elementary School. SBPA [redacted] spoke with SBPA [redacted] and decided to self-deploy to the school. He messaged the BORSTAR team and requested everyone who was free to respond to the school and for those not free to respond when available. SBPA [redacted]

[180] Video footage captured by static camera located in Robb Elementary School, May 24, 2022.

requested someone drop a pin for the school on the Android Team Awareness Kit (ATAK) phone application, then drove there with the vehicle emergency equipment activated. He messaged the team that he was parked approximately two blocks away and on foot due to the law enforcement and civilian vehicles blocking the street. He advised his team that it was an active shooter and to bring hand-thrown gas and medical equipment and for them to be medically prepared for people with multiple gunshot wounds.

SBPA [redacted] asked two local law enforcement officers where the incident command was located but they were confused by his question. He entered the school through the west entrance at **12:23:28 PM**, then upon instruction from SBPA [redacted], returned to his vehicle and got hand-thrown gas and medical equipment.[181] SBPA [redacted] discussed setting up a medical triage area with BPA [redacted] and other USBP paramedics, then began stripping down and staging the medical gear.

After the breach, he helped carry children outside. He assessed five or six children and stabilized a girl inside, then took her outside to EMS. He attempted to assist with CPR on a teacher, then met with other USBP personnel on the north side of the school, where they were directed to report to UVA. Upon learning about another possible threat concerning the assailant's girlfriend, SBPA [redacted] deployed to Dalton Elementary School with another BPA. He patrolled the school perimeter and assisted with taking children from classrooms to their parents. He messaged his team at approximately **6:30:00 PM** to depart from Dalton Elementary School.

SBPA [redacted] stated he did not have a clear understanding of the situation. He believed that by the time he arrived, he would be assisting with perimeter security. He identified that radio communications were bad, with people relaying misinformation and transmitting simultaneously, causing communications to be incomprehensible. Based on the officers' demeanors inside the school, SBPA [redacted] observed that the situation did not seem urgent. He was under the impression that the subject was barricaded and law enforcement officers in the building were looking to SBPA [redacted] to take over. SBPA [redacted] did not feel that any of the other law enforcement agencies on scene were in control of the situation. He identified USBP's role as first responders and observed that USBP had the largest law enforcement presence at the scene. SBPA [redacted] was not aware of written legal authority to respond to an active shooter incident but felt that if there was an existing threat to the public, USBP had a responsibility to respond as law enforcement officers to prevent members of the public from being injured.

SBPA [redacted] (DRT SOD), interviewed on March 14, 2023. (Exhibit 196)

On May 24, 2022, SBPA [redacted] was the field supervisor with DRT BORSTAR working near Eagle Pass, Texas, when he heard radio transmissions of a school shooting or active shooter at Robb Elementary School. He called SBPA [redacted] and informed him of the situation and confirmed with SBPA [redacted] to deploy BORSTAR personnel to Robb Elementary School. SBPA [redacted] drove in an unmarked GOV with lights and sirens activated and parked on the southeast side of the school. An unknown civilian approached him and wanted to know what

[181] *Id.*

was going on. SBPA [redacted] replied that he did not know and asked the civilian if he could help clear the roads to allow emergency vehicles in.

SBPA [redacted] then ran toward the school with his tactical medical bag, M4 rifle, and two fully loaded magazines. He entered the building through the west entrance at **12:29:05 PM** and asked SBPA [redacted] where the assailant was, why he had not been killed, and if someone was attempting to negotiate with the assailant.[182] SBPA [redacted] explained the situation with the door and an unknown UPD officer informed SBPA [redacted] that UCISDPD Chief Arredondo was trying to negotiate. SBPA [redacted] asked SBPA [redacted] why they would deploy gas if UCISDPD Chief Arredondo was trying to negotiate.

SBPA [redacted] assisted BPA [redacted] with setting up BPA [redacted]'s sniper rifle and tripod outside the building. SBPA [redacted] advised BPA [redacted] that they were getting ready to breach inside the school. While outside, an unknown DEA Special Agent brought a layout of the school and SBPA [redacted] instructed him to take it inside the building to assist with the situation. SBPA [redacted] reentered the school and formed in a group in the hallway near the classroom with other law enforcement officers. After the breach, he set his rifle down in the hallway so he could provide medical treatment. He waited in the hallway as children were taken out and instructed a boy who could walk to continue down the hallway. SBPA [redacted] asked two girls who exited if they were okay; they said yes and continued down the hallway. He assisted another law enforcement officer with carrying a boy and tried to stop the law enforcement officer from taking the boy outside but was unsuccessful. SBPA [redacted] staged the boy inside the ambulance, out of view of onlookers, then ran back inside the school.

SBPA [redacted] found a BPA carrying a boy, and instructed the BPA to set the boy down so he could begin medical treatment, but the boy had no signs of life. SBPA [redacted] asked an unknown law enforcement officer to put the boy inside one of the classrooms, then assisted SBPA [redacted] with carrying an adult female. Medics began working on her outside and SBPA [redacted] asked why they were working on her there and said to get her to the hospital. He provided a tourniquet but then saw where on the body they were trying to apply it and said they couldn't put it there. Instead, he instructed BPA [redacted] (DRT SOD) to pack the wound with gauze and provided rescue breaths to the woman until a paramedic took over.

SBPA [redacted] recognized that no other victims were being evacuated from the school, so he went to a tree in front of the school and met with CPA Owens (DRT) and other BORSTAR personnel. From there, he was instructed to go to UVA. While at UVA, SBPA [redacted] heard rumors of a second threat, so he deployed to Dalton Elementary School. There, he met off-duty BPA [redacted] and instructed him to secure the front of the school while SBPA [redacted] secured the back of the school. After an hour or two, the school began releasing children. Once the school was completely evacuated, SBPA [redacted] returned to UVA.

[182] Video footage captured by static camera located in Robb Elementary School, May 24, 2022.

During the incident, SBPA [redacted] heard via radio, "they've got him in a classroom, in an office, and he's a barricaded subject."[183] Someone asked via radio where incident command was located; another person said there was no incident command. SBPA [redacted] believed no one was in command of the scene but assumed the school police would be in command because UCISDPD Chief Arredondo was negotiating. SBPA [redacted] believed SBPA [redacted] was the most experienced, tactically trained person on the scene but did not feel that he was in charge. SBPA [redacted] believed BPAs had a responsibility to respond to an active shooter situation and help. He stated that if USBP was called to assist state and local law enforcement agencies, USBP would be in a support role. Due to the active shooter situation, SBPA [redacted] considered the BORSTAR deployment as a law enforcement deployment.

BPA [redacted] (DRT SOD), interviewed on March 21, 2023. (Exhibit 207)

On May 24, 2022, BPA [redacted] was working with another BORSTAR Agent near Pierce Ranch, when he heard via radio that someone was shot at Robb Elementary School. He drove to Uvalde and found his way to the school using his ATAK device, then parked 150–200 yards from the entrance. He ran toward the school with his Kevlar helmet, rifle, Camelbak, and two individual first aid kits. Enroute, he saw a young girl run across the road in front of him. He saw blood on her face and asked her if she was hurt. She continued running toward the Hillcrest Memorial Funeral Home and BPA [redacted] proceeded to the west entrance of the school, arriving at **12:30:39 PM**.[184]

After speaking with BPA [redacted], BPA [redacted] returned to his vehicle and retrieved both his medical bags, then ran back to the school and entered the building. He lined up with other law enforcement officers outside Classroom 111, then retrieved a rifle-rated shield from an unknown law enforcement officer and provided the shield to BPA [redacted]. BPA [redacted] was fourth in line in the group of law enforcement officers at Classroom 111. Upon entering Classroom 111, BPA [redacted] immediately turned right to ensure there were no threats in that corner of the room. Hearing gunfire, BPA [redacted] turned and fired his rifle at the muzzle flashes coming from the assailant.

After the shooting ceased, he attempted to get a child out from under a table but slipped in the blood on the floor and fell. He went with BPA [redacted] to Classroom 112 to help clear that classroom. He carried a girl out to the triage area, then went back in and took a boy from BPA [redacted] to an ambulance, then went back in and looked for other victims to help. He carried the bottle of oxygen for a female teacher on a gurney, then met other BPAs at a tree and was told to meet at UVA.

After mustering at UVA, he went to Uvalde High School with another BPA and provided security near the entrance at the high school for approximately one hour. Later, he provided his name, identifying information, and round count to SBPA [redacted].

[183] OPR interview of SBPA [redacted], March 14, 2023, timestamp 02:24:19.
[184] Video footage captured by static camera located in Robb Elementary School, May 24, 2022.

BPA [redacted] did not know who was in charge of the incident. When he saw the young girl running outside, he knew law enforcement officers had to get there fast. BPA [redacted] stated SBPA [redacted] and SBPA [redacted] oversaw the medical triage pre-breach but did not know who was in charge of the medical triage post-breach. He understood the doors of Classrooms 111 and 112 were locked.

BPA-P [redacted] (DRT), interviewed on March 20, 2023. (Exhibit 197)

On May 24, 2022, BPA-P [redacted] was transporting equipment around the Del Rio area of operations with another BPA. He was driving into Uvalde from the west when he noticed two UPD vehicles passing them with lights and sirens, headed toward Robb Elementary School. He saw additional law enforcement vehicles, one being a USBP vehicle, passing them with lights and sirens activated. He turned on the service radio and heard about a shooter entering Robb Elementary School.

BPA-P [redacted] parked along Geraldine Street and walked to the school, arriving at **12:31:41 PM**.[185] He assisted with perimeter security, keeping numerous parents who were present and armed with pistols and rifles out of the school. He directed parents to the nearby funeral home, where they would reunite with their children. He asked BORSTAR BPAs about the situation and they directed him to come with them and assist with establishing a medical triage area in the hallway. There, he met civilian medical personnel as they arrived and explained the triage plan. He directed deceased victims brought out of the classrooms to be placed in the hallway and covered with blankets.

Following the breach, he entered Classroom 111 and assessed vital signs, checking each victim four or five times, but observed multiple gunshots on each and found no vital signs. He told everyone in the room that all the victims were deceased, then exited the classroom after a Texas Ranger told everyone to leave. He exited the school via the south entrance, then attempted to reenter the school but was denied entry. He pushed his way in and waited in case any signs of life were discovered, but there were none.

He exited the school again and met with other BPAs at a tree on the north side of the school, where they were instructed to return to UVA. He returned to UVA with BPA-P [redacted], where they heard about a second threat, but he was discouraged from responding because he was covered in blood. BPA-P [redacted] and BPA-P [redacted] departed UVA and drove to complete their work from the morning, then returned to Del Rio.

BPA [redacted] (BRA), interviewed on March 14, 2023. (Exhibit 175)

On May 24, 2022, BPA [redacted] received a call from WC [redacted] to go toward Ranch Road 334 because of shots being fired. While enroute, BPA [redacted] received a call from SBPA [redacted] redirecting him toward Uvalde because of a need for EMTs. BPA [redacted] received a text

[185] Video footage captured by static camera located in Robb Elementary School, May 24, 2022.

message indicating the destination was Robb Elementary School, so he called SBPA [redacted] for more details and learned there was a shooting at the school.

BPA [redacted] arrived near the school at approximately **12:30:00 PM** and asked a TXDPS trooper what was going on, but the Trooper did not know. BPA [redacted] explained he was responding as an EMT, parked in the Hillcrest Memorial Funeral Home parking lot, and ran toward the school. He entered the west entrance and recognized BPA [redacted], who said they were still figuring out the situation. BPA [redacted] returned to his vehicle and collected medical supplies, then set up the triage area in the hallway near the restrooms. He moved to the south entrance with another BPA in case children were evacuated somewhere other than where the triage area was, then joined other law enforcement officers in the hallway south of Classrooms 111 and 112.

After the breach, he entered the classroom through the same door as the entry team, picked up a child, brought her to the south entrance, and began CPR. He terminated patient care upon determining the extent of her injuries, then returned to the classroom to assist with other victims. He ended up assisting with the treatment of another child in the triage area of the hallway before determining that child was also deceased. He returned to the classroom and was informed that all the victims in the classroom were already deceased. He exited the building through the west door and assisted with one cycle of CPR on a patient after transporting the patient to an ambulance. He reentered the building one final time to check for signs of life before joining other BPAs near a tree outside the building. There, he informed CPA Owens that several of the BPAs onsite would need Peer Support. He went to UVA, where he heard about a second threat that was quickly dismissed. He then drove to BRA, changed clothes, threw away his bloody clothes, and went home.

BPA [redacted] stated it did not seem like anyone was in charge of the overall incident, beginning with when he arrived at Robb Elementary School and the TXDPS trooper not knowing what was going on. BPA [redacted] believed BPA [redacted] and BPA-P [redacted] oversaw the medical response inside the school.

BPA [redacted] (BRA), interviewed on March 14, 2023. (Exhibit 176)

On May 24, 2022, BPA [redacted] was assigned to ranch liaison detail and was having lunch in Brackettville, Texas, with another BPA when BPA [redacted]'s wife texted him that there was an active shooter at Robb Elementary School. BPA [redacted] drove with the other BPA to BRA and advised SBPA [redacted] about the possible active shooter and that they were going to respond. He arrived at Robb Elementary School at approximately **12:40:00 PM**, parked, and ran west toward the school. Just as he entered the school through the west door, BPA [redacted] heard gunshots. Following the gunshots, he encountered a girl who did not appear injured, asked if she was hurt, took her to a school bus, then ran back into the school. He helped another BPA move deceased children from the hallway to Classrooms 131 and 132 until TXDPS told them to clear out of the school due to it being a crime scene.

BPA [redacted] handed medical supplies to law enforcement officers providing medical care to a teacher, then was told to meet at UVA for a muster. He was at UVA for an hour, then drove

back to BRA, where [redacted] drove him home. BPA [redacted] stated he never knew who was in command of the incident and that USBP's role in a situation such as the Robb Elementary School shooting would be to assist in any way possible. He stated the first person on scene would be the person or agency in charge.

BPA [redacted] (DRT SOD), interviewed on March 21, 2023. (Exhibit 206)

On May 24, 2022, BPA [redacted] was assigned to the day shift working on Paloma Ranch near Eagle Pass, Texas, when he received a text message notifying him of a shooting in Uvalde. SBPA [redacted] directed BORSTAR agents to respond to Uvalde if they were not waiting for a detainee transport, so BPA [redacted] responded using the ATAK map location of Robb Elementary School. He arrived at Robb Elementary School at approximately **12:40:00 PM** and parked two blocks away in the shade for his canine, who was a search and rescue canine, not a patrol canine.

BPA [redacted] entered the school through the west entrance and joined the group of law enforcement officers on the left side of the hall preparing to enter a room. When gunfire started during the breach, he dropped to the floor for a moment, then rejoined the other law enforcement officers. After someone said, "all clear," he and the other officers entered Classroom 111. BPA [redacted] carried children to the triage area until a law enforcement officer told him to stop removing bodies because they had been declared dead and the room was now a crime scene.

BPA [redacted] then exited the classroom and assisted with clearing two classrooms across from Classrooms 111 and 112. He exited the school and met with other BPAs at the tree in front of the school, then was instructed to report to UVA. At UVA, they learned of another threat against other schools and redeployed to Dalton Elementary School, where he assisted with reuniting students with their parents. BPA [redacted] returned to UVA for another debrief, then went home.

Prior to arriving at the school, he expected to encounter an active shooter situation but upon arriving, he observed it was very quiet. He did not know who was in charge at the scene, but believed SBPA [redacted] was in command of the school hallway and BPA [redacted] was in command of the triage area. BPA [redacted] believed USBP had the responsibility to respond and assist.

BPA [redacted] (BRA), interviewed on March 22, 2023. (Exhibit 208)

On May 24, 2022, BPA [redacted] was assigned to detention and care at BRA. While on his lunch break, he learned about a shooting in Uvalde and was directed to respond because he was an EMT. While departing, he informed another BPA EMT about the shooting and called a third EMT while enroute. He arrived near Robb Elementary School and parked some distance away. Some nearby parents suggested he drive to the other side of the school, so he tried to get closer and finally parked and ran with his medical equipment toward the school. He arrived at the west

entrance at **12:46:33 PM**, where he was informed that the scene was still active and was directed to the south entrance.[186]

After the breach, he observed BPA [redacted] was injured and stopped to evaluate him. BPA [redacted] insisted BPA [redacted] stop treating him and assist the other victims. BPA [redacted] approached Classroom 111 and assisted with carrying an adult woman. He yelled to the occupants of Classroom 112 to leave if they were not an EMT, then exited Classroom 112 to help with medical treatment in the hallway. He helped three unknown law enforcement officers move a male teacher onto a backboard and carried the teacher out the east entrance. BPA [redacted] loaded the teacher into an unoccupied ambulance and rode in the ambulance, holding the teacher to secure him, while an unidentified firefighter drove to the hospital.

When BPA [redacted] returned to the school, he was denied entry. He met with a group of BPAs near a tree on the north side of the school, where they were instructed to return to UVA. He arrived at UVA, changed his clothes, and had a BPA-T drive his vehicle back to BRA.

Prior to the breach, BPA [redacted] believed BORTAC oversaw USBP personnel, and it appeared that the other agencies did not seem to care who was in charge. He did not observe an incident command or medical command. He believed it was his duty to act and assist local law enforcement.

SBPA [redacted] (DRT SOD), interviewed on March 13, 2023. (Exhibit 167)

On May 24, 2022, SBPA [redacted] was Acting Commander for DRT BORSTAR and received a call from SBPA [redacted] advising of an active shooter in Uvalde. SBPA [redacted] concurred with SBPA [redacted] 's intention to deploy and directed him to do so. SBPA [redacted] advised (A)PAI [redacted] and others about the report of an active shooter, then gathered his gear and deployed to Uvalde. While enroute, he heard mixed reports of whether the assailant was stopped or not stopped. He arrived at Robb Elementary School at approximately **12:50:00 PM** and was approximately 150 yards away from the school when he heard on the radio that they were breaching. He entered the school grounds and began to help render aid to a female teacher who was carried out. He rallied at a tree with other BPAs for a debrief and was directed to meet at UVA for further debriefing. While at UVA, they learned of another threat, so he responded to a junior high school and provided perimeter security while students were released to their families. He returned to UVA for further debriefing, then went home. SBPA [redacted] stated he did not know who had command and control of the scene.

AEA [redacted] (AMO Uvalde), interviewed on March 16, 2023. (Exhibit 186)

On May 24, 2022, AEA [redacted] was at home in Uvalde when his wife received a notification about an active shooter at Robb Elementary School. He grabbed the gear he had at home and went to the office to get his radio, medic kit, and rifle. He drove to the school in a CBP vehicle without lights or sirens. While enroute, he heard on the radio that law enforcement officers were

[186] Video footage captured by static camera located in Robb Elementary School, May 24, 2022.

making entry and then he heard the "shooter was down." AEA [redacted] parked down the street because of the traffic, then ran toward the school and asked TXDPS troopers where he was needed. They directed him to the entrance of the school. He arrived at approximately **12:55:00 PM** and was at the front fence when someone handed him a child on a backboard. He helped load the child into an ambulance, then saw BORSTAR EMTs and asked what they needed help with. They told him to just find something to do, so he entered the school through the west entrance, then exited through the south door to get out of the way. He assisted other personnel with a child outside and told everyone there were ambulances by the front of the school. He helped get another child on a gurney and moved to the ambulance.

A TXDPS officer prevented him from getting back into the school, but a UPD officer informed him there were still children inside classrooms, so he followed the UPD officer to the portable classrooms and helped evacuate the children to a collection point on the far east side of the school. He was told help was needed with security at the Civic Center, so he went there. He returned to Robb Elementary School with the UPD officer, then realized he was no longer needed, so he went to the office to drop off his gear and went home between **5:30:00 PM** and **6:00:00 PM**.

AEA [redacted] initially thought the incident was a bailout. A few minutes after his initial notification, while still at home, [redacted] received an additional notification, at which time he believed it was a legitimate incident. While at the office, he learned it was a barricaded subject at the school. He stated that it appeared TXDPS was in charge at the Civic Center.

SBPA [redacted] (CBP LESC), interviewed on March 10, 2023. (Exhibit 160)

On May 24, 2022, SBPA [redacted] was observing low-light qualifications at DRT as part of an LESC policy review when another BPA told him he heard about a possible bailout in Uvalde. When they heard there were shots fired, they grabbed M4 rifles from the DRT armory and traveled to Uvalde to assist. They attempted to obtain information enroute via handheld radio and text messages and believed they heard gunshots over the radio as they parked.

SBPA [redacted] parked at approximately **1:00:00 PM**, ran toward Robb Elementary School, and captured a video of the vehicle congestion using a cell phone. As an EMT, he went to the busiest area he could find, which was the west building, and attempted to enter the school to assist with medical treatment. Although he could see victims being treated by law enforcement officers in the hallway, a TXDPS ranger denied him entry into the west building.

After being turned away by the TXDPS Ranger, he noticed a loaded, unattended CS gas weapon near the entryway and decided to unload it. After unloading it, he noticed an EMT remove a tourniquet on a woman being transported on a gurney and went over to assist the EMT with applying a second tourniquet. Afterward, SBPA [redacted] helped transfer a male child from one gurney to another, then noticed BPAs were distraught and began providing comfort and support to them.

He gathered with all BPAs around a tree on the north side of the building, where they were instructed to gather at UVA. At UVA, they learned of an alleged second threat, so he went to the UVA armory to get a rifle, then went to Uvalde High School. He told the school security guard to lock the school and only allow law enforcement officers to enter, then began clearing the school. He exited the school and informed TXDPS that the high school was cleared and that the junior high school still needed to be cleared.

After clearing Flores Elementary School, he returned to Uvalde High School to assist with the reunification of children with their parents, then returned to UVA. Afterward, he returned his rifle to the DRT armory, returned to the Del Rio firing range to pick up his personal gear, and went to his hotel room for the night.

SBPA [redacted] stated there was conflicting radio traffic at both Robb Elementary School and at the Uvalde High School about the nature and details of the incident. SBPA [redacted] did not believe anyone was in charge at the scene at Robb Elementary School and there was a lack of command and control throughout the entire situation. He stated USBP has a responsibility to respond to the incident and stop children from dying. He further explained that USBP has authority to use deadly force to prevent the loss of life and it is law enforcement's responsibility to stop the killing and stop the dying.

BPA [redacted] (DRT SOD), interviewed on March 20, 2023. (Exhibit 195)

On May 24, 2022, BPA [redacted] was assigned to administrative functions when he was advised either verbally or via text of a possible active shooter at Robb Elementary School. He traveled to the school in a GOV with lights and sirens activated, arriving at approximately **1:00:00 PM**. He received permission from a resident a couple hundred yards from the school to park in the resident's yard, then gathered his gas mask, M4 rifle, two 30-round magazines, three pistol magazines, ballistic plates, and tactical medical bag, and approached the west entrance door. There, he assisted with treatment of [redacted], then walked to the side yard where BORSTAR agents were congregating.

Next, he responded to Uvalde High School upon receiving a message that the girlfriend of the assailant made a threat there. He provided care to a student who was not injured but was emotionally upset and stayed at the high school for a couple hours assisting the principal with the release of the students.

BPA [redacted] stated the scene at Robb Elementary School was very chaotic, with officers and agents walking both toward and away from the school. He believed USBP's role was to respond and address the assailant. He stated that in active shooter situations, the priority is to stop the killing and stop the dying. He did not know who was in command of the scene or if anyone from USBP was in command and control of its personnel at the scene.

SBPA [redacted] (USBP Fort Brown Station, Brownsville, Texas), interviewed on March 15, 2023. (Exhibit 181)

On May 24, 2022, SBPA [redacted] was working at the DRT range providing active shooter training when he heard someone say there was an active shooter situation in Uvalde. He asked his training partner, SBPA [redacted], if he wanted to respond; SBPA [redacted] said yes, so they grabbed equipment and headed toward Uvalde. While enroute, SBPA [redacted] explained to SBPA [redacted] what to expect when arriving at the scene and told SBPA [redacted] to check in with incident command for direction. SBPA [redacted] arrived at Robb Elementary School at approximately **1:00:00 PM**, parked a few blocks away, and approached the school on foot. He observed no incident command, so he approached the west entrance of the school. He took a few steps into the school and assisted with moving at least one patient to an ambulance. He attempted to reenter the school but was denied entry by a Texas Ranger, so he talked to and consoled other BPAs outside the school.

SBPA [redacted] gathered with other BPAs around a tree, where they were instructed to go to UVA. He coordinated with other BPAs to find rides for everyone because some people were not in a condition to drive. When law enforcement officers from Homeland Security Investigations (HSI) arrived, he told them there was nothing left to do at the school and directed them to the hospital to assist with security.

At UVA, he learned about a possible threat at Uvalde High School and went there with SBPA [redacted] to assist. SBPA [redacted] began clearing the school and assisting with the reunification of parents and students at other schools, including Morales Junior High School, Flores Elementary School, and Dalton Elementary School. He returned to UVA, ate dinner, then drove back to Del Rio.

During the incident, SBPA [redacted] heard talk about hostage negotiation over the radio and thought too much time had passed since the original call about an active shooter. He observed there was no incident command and he did not know who was in charge of the situation at Robb Elementary School. SBPA [redacted] observed that no one was yelling commands or seemed like they were in charge. He stated USBP is not supposed to be the lead agency onsite but will respond.

CBP PERSONNEL INSIDE ROBB ELEMENTARY SCHOOL OR ASSISTING WITH CLASSROOM EVACUATIONS PRIOR TO BREACH

Dozens of CBP personnel arrived at Robb Elementary School prior to **12:50:00 PM** and entered the west building to address the threat posed by the assailant or assist with evacuating students and teachers from nearby classrooms. The following is a summary of the interviews provided by these employees:

BPA [redacted] (UVA), interviewed on March 7, 2023. (Exhibit 144)

On May 24, 2022, BPA [redacted] had just completed transporting migrants to Eagle Pass, Texas, when he heard a radio transmission requesting all available agents respond to an active shooter or shots fired at Robb Elementary School. He was already driving, so he activated the emergency lights on his GOV and responded to the school. He parked and ran to the school with two other BPAs, arriving between approximately **11:45:00 AM** and **12:00:00 PM**. They were advised it was a hostage situation and a hostage negotiator was responding. He then entered the school through the west entrance and assisted with evacuating a female teacher and escorted her out of the school.

Outside the school, he assisted with breaking exterior windows to Classroom 105 or 106 to evacuate everyone, then went to the south entrance of the school, where he was informed a TXDPS helicopter was flying too low. He used his handheld radio to request the TXDPS air unit to fly higher. He went outside the west building and broke the exterior windows on the east side of the building to evacuate everyone from that classroom. As he reentered the school through the south entrance, he heard gunshots as law enforcement officers breached the classroom. After the breach, he entered Classroom 111, and after a short time, everyone but EMTs was told to leave. He exited through the south entrance and met with other BPAs at a tree in front of the school, where everyone was instructed to report to UVA. He remained at UVA for 30–45 minutes before being released for the day.

BPA [redacted] stated he did not feel anyone had command and control of the incident. He stated there was no rally point or command post, and there was an open mic that disrupted radio communications.

SBPA [redacted] (UVA), interviewed on March 15, 2023. (Exhibit 183)

On May 24, 2022, SBPA [redacted] was conducting use of force training at UVA when he received a phone call that there was an active shooter at Robb Elementary School. He went to the armory and began handing out M4 rifles, magazines, and vehicle keys to the agents who were in the training. He drove to the school with another BPA, dropped off the BPA, then parked near the cafeteria on the east side of the school at approximately **11:50:00 AM**. He jumped the fence because the gate was locked and asked a UCISDPD officer what was going on, but the officer said he didn't know.

SBPA [redacted] walked between the two southern-most classroom buildings and moved west at the end of the Classroom 18 building, making sure the classroom doors were locked and the students were safe. He did not know where the assailant was located. SBPA [redacted] entered the cafeteria and told the workers there to go to the kitchen until he returned. He observed a teacher and students hiding behind the auditorium curtain and told them to stay there. He returned to the cafeteria and evacuated the workers, children, and teachers east toward Old Carrizo Road, then went outside to the northern two classroom buildings and attempted to clear Classrooms 7–12 but they were already empty. He went to the building containing Classrooms 1–6 and stood at the southwest corner of Classroom 6 to provide security while TXDPS troopers

cleared the classrooms. He then went south and entered the east door of the school and took up a position at the T-intersection facing south.

After he heard the breaching gunfire, he assisted with carrying deceased children into Classrooms 131 and 132. He escorted a boy outside the west door and directed him to medical personnel on the sidewalk. SBPA [redacted] assisted with carrying deceased children and then exited the building upon an announcement from a Texas Ranger that the building was a crime scene.

SBPA [redacted] met with other USBP personnel at a large tree at the north end of the school. He returned to his vehicle, where he swapped vehicles with (A)PAIC [redacted] because (A)PAIC [redacted]'s vehicle was blocked by other vehicles. SBPA [redacted] d (A)PAIC [redacted]'s vehicle to the Civic Center, stayed there for about an hour, then swapped vehicles with (A)PAIC [redacted] again. Upon hearing of a possible second threat, SBPA [redacted] stayed at the Civic Center and instructed the people outside to move inside for safety. He then returned to UVA.

SBPA [redacted] believed UCISDPD Chief Arredondo was the overall incident commander and thought he was possibly negotiating with the assailant. SBPA [redacted] believed USBP was going to secure the perimeter around the school and assist local law enforcement officers.

BPA [redacted] (UVA), interviewed on March 6, 2023. (Exhibit 135)

On May 24, 2022, BPA [redacted] was assigned as a Vehicle Maintenance Officer at UVA and was completing his duties in the GOV parking lot when he saw BPAs running toward vehicles. One of the BPAs informed him there was an active shooter at Robb Elementary School. BPA [redacted] volunteered to accompany SBPA [redacted] and returned to the office to get his vest, extra magazines, and handheld radio before departing UVA with SBPA [redacted]. They arrived at the back side of the school near the playground at approximately **11:50:00 AM** as the third unit to arrive on scene. BPA [redacted] told parents approaching from surrounding homes to stay back, then learned the threat was on the other side of the school. The other BPAs went to that side while BPA [redacted] stayed on the south side of the school, followed the sidewalk to the southwest corner of Classroom 23, and took cover.

BPA [redacted] helped get the attention of a teacher in Classroom 23 by giving his USBP ballcap to another BPA to wave in the window to identify themselves. When the teacher opened the door, the BPAs directed the children to the playground and evacuated Classrooms 19–23. It took some extra time to convince some children who had locked themselves in interior restrooms to come out. BPA [redacted] then held his position and listened to the patched radio communications until he heard an announcement about the breach over the radio and gunfire.

Following the breach of Classrooms 111 and 112, BPA [redacted] entered the building from the south entrance to see how he could assist. He had difficulty walking because there was so much blood in the hallway it caused him to slip and slide. By the time he made it to the classrooms, many of the victims had already been brought out. Seeing BPAs emotionally distraught, he began to focus on consoling them until he was ordered to meet at a tree near the front of the

school. Following this meeting, he was told to muster at UVA. After the muster, he went to his office with other BPAs and listened for updates, then departed UVA with other BPAs in his carpool group.

Before the breach, BPA [redacted] kept thinking about what was taking so long. He stated that whichever agency is first on scene is in charge and his role was to provide backup. He explained that USBP's role would have been to take down the active shooter, but they did not because they were not the first on scene. He believed the local law enforcement officers were first on scene and were therefore in command and control. BPA [redacted] observed a shift in command when BORTAC arrived. He believed USBP's authority to respond was related to the oath and a responsibility to help whoever needs help.

BPA [redacted] (UVA), interviewed on March 3, 2023. (Exhibit 131)

On May 24, 2022, BPA [redacted] was assigned to the evening shift but went early to work on paperwork. He was working near the station dispatch room and overheard a radio transmission in which someone stated shots were fired. He went into the dispatch room to gather information, then went to the station armory, checked out a rifle, and drove to Robb Elementary School with another BPA, arriving at approximately **11:50:00 AM**. As they approached the school, they witnessed numerous law enforcement agencies, including TXDPS, UPD, and UCSO. BPA [redacted] entered the school via the west entrance and noticed no one seemed to be in charge of the situation. An unknown law enforcement officer told BPA [redacted] that all the classrooms were locked, and keys were needed. BPA [redacted] checked the doors to Classrooms 131 and 132 and verified they were locked.

While waiting for keys to arrive, BPA [redacted] assisted several BPAs with evacuating children from Classrooms 102–106. At some point near the times the classrooms were being evacuated, BPA [redacted] recalled hearing four gunshots. Following the gunshots, he moved to the east side of the building to evacuate Classrooms 108–110. After the classrooms were empty, he waited near the south entrance of the building until he heard multiple gunshots. He entered the school through the south entrance, proceeded to Classroom 111, saw the deceased assailant, and was instructed to leave because it was a crime scene. He exited through the west entrance and provided security in the field next to the school to establish a helicopter landing zone. He attended a muster near the front of the school, where all BPAs were instructed to report back to UVA. BPA [redacted] stated the scene at the school when he arrived was quiet and no one appeared to be in charge.

BPA [redacted] (DRT), interviewed on March 8, 2023. (Exhibit 150)

On May 24, 2022, BPA [redacted] was on duty near an area called 19-Mile Crossing when he heard over the radio, "active shooter, Robb Elementary." He drove to Robb Elementary School and parked in front of the funeral home at approximately **11:50:00 AM**, then went to the west door of the west building, near Classroom 132. While there, he observed that the gate through which he had entered was the only unlocked gate, so he decided to open the vehicle gate on the north side of the school for first responders. He discovered it was locked and he was

unsuccessful in breaking it open. Someone produced bolt cutters and he then opened the gate. He went back toward the west hallway, gaining access through a pedestrian gate with the keys he had been given (which did not work on the vehicle gate) and returned to the west building. There, he assisted with the evacuation of students and faculty through the windows of Classrooms 102–106. He took a student with blood on their clothes to an ambulance, then returned to the west hallway and gathered medical supplies and brought them to the triage area. He began staging ambulances along Geraldine Street and provided the keys he had to SBPA [redacted], although they were not the correct master key.

After the breach, BPA [redacted] gathered with other BPAs near a tree on the north side of the school, where they were instructed to return to UVA. He returned to UVA and provided Peer Support to other BPAs, then returned home.

Upon receiving the initial call, BPA [redacted] assumed the incident was a failure to yield that caused the school to go into lockdown. He assumed UCSO Chief Deputy [redacted] was in command of the scene based on him wearing a dress shirt and tie and walking around talking on a cell phone and radio. BPA [redacted] stated that the hallway was chaos, but BORSTAR and BPA EMTs took charge of the triage area.

BPA [redacted] (UVA), interviewed on February 10, 2023. (Exhibit 57)

On May 24, 2022, BPA [redacted] was in training at the Uvalde Border Patrol Station. During a break in training, he heard the UPD request assistance over the radio. BPA [redacted] checked out a rifle from the UVA armory and drove to Robb Elementary School with BPA [redacted] (UVA). They parked on the northeast side on Geraldine Street, approximately 50–60 yards from the school and approached the school from the north at approximately **11:50:00 AM**. As BPA [redacted] came around to the west side of the building, he observed law enforcement officers helping children out of the classroom windows. BPA [redacted] noticed there was no information being provided to law enforcement officers regarding the assailant, so he provided cover for the evacuation of the children. Afterward, BPA [redacted] went to the southeast corner of the school and remained there to cover the perimeter. At one point during the incident, BPA [redacted] assisted an injured teacher to an area where children were running.

OPR re-interviewed BPA [redacted] on **March 23, 2023**, after learning that he had entered Robb Elementary School. BPA [redacted] entered the school through the south entrance after law enforcement officers confronted and killed the assailant. He entered a dark classroom and assisted another BPA with carrying a child victim to the medical triage area, then rendezvoused with other agents at a tree and received instruction to report to UVA for a debrief. BPA [redacted] indicated he knew he was responding to a shooter at a school when he first learned of the incident but was unaware there were children in the classroom with the assailant until after he entered the classroom following the assailant's final confrontation with law enforcement.

BPA [redacted] (UVA), interviewed on March 21, 2023. (Exhibit 140)

On May 24, 2022, BPA [redacted] was working at UVA as a canine handler performing checkpoint duties and when he learned of a possible active shooter at Robb Elementary School via an announcement over the USBP radio that there were shots fired at the school. BPA [redacted] responded to the school, along with another USBP canine handler assigned to the checkpoint. They drove in a USBP vehicle and parked near the funeral home at approximately **11:50:00 AM**. An unidentified civilian pointed him to the assailant's wrecked vehicle, which BPA [redacted] approached and took photos of, then remained at the vehicle providing scene security until relieved by BPA [redacted].

BPA [redacted] then ran toward the school to aid with evacuating children and directed the children toward officers down the street. He moved to the other side of the school and assisted other BPAs with evacuating children. Following the classroom breach, BPA [redacted] entered the school through the south entrance, where he assisted BPA [redacted] out of the school and to an EMT for medical assistance. He reentered the school and went into Classroom 112 but left after being told that only EMTs were permitted in the room.

BPA [redacted] gathered with other BPAs near a tree at the front of the school and received instructions to report to UVA. Upon arriving at UVA, he received information about another potential threat, so he responded to the Uvalde Theater of Arts School and provided security for several hours.

BPA [redacted] could not determine who was in command and control of the situation. During the incident, he wondered why it was taking so long for someone to enter the classroom and take out the assailant. He described the scene inside Classroom 112 after the breach as chaos.

BPA [redacted] (UVA), interviewed on March 20, 2023. (Exhibit 200)

On May 24, 2022, BPA [redacted] was a firearms instructor at UVA. When he returned to UVA from the range, SBPA [redacted] informed him that there was a person with a gun at a school. BPA [redacted] went to the armory and obtained a weapon, then drove with another BPA in an unmarked USBP firearms truck to Robb Elementary School. He parked near the intersection of Old Carrizo Road and Geraldine Street and met with other BPAs, then followed other law enforcement officers toward the west entrance of west building.

He entered the building at **11:51:15 AM** and approached the group of law enforcement officers facing the south hallway. He offered to relieve them because he knew their shoulders would be fatigued from holding their rifles.[187] He asked if Classroom 131 had been cleared and did not receive a response, so he and two other BPAs entered that classroom and found a teacher hiding under a table and escorted the teacher from the classroom. BPA [redacted] also inquired about the adjacent classroom where another teacher was hiding.

[187] Video footage captured by static camera located in Robb Elementary School, May 24, 2022.

After the two classrooms were cleared, BPA [redacted] relieved law enforcement officers in the group facing south, then saw another group of law enforcement officers in the south end of the hallway. BPA [redacted] then heard three gunshots and moved down the hallway toward the gunshots with other law enforcement officers. The group stopped when officers realized they had no way to enter the locked classroom. BPA [redacted] remained near the classroom door, ready to enter, while other officers discussed how to gain entry.

After SBPA [redacted] opened the door to Classroom 111, gunfire erupted. Following the gunfire, BPA [redacted] entered Classroom 111 and began taking victims to the triage area at the north end of the hallway. He checked on the assailant, then a law enforcement officer came into the classroom, declared the area a crime scene, and instructed everyone to leave. BPA [redacted] exited the classroom and cleared other classrooms in the building. Afterward, he met some other BPAs and gathered at a tree near the front of the school, where they were instructed to report to UVA for a muster. At UVA, he changed clothes and then left for the day at approximately **4:00:00 PM**.

BPA [redacted] observed there was talk at the onset of the incident that it was related to a bailout or pursuit. After arriving at Robb Elementary School, while standing in the school hallway, he heard someone call out, "barricaded suspect." BPA [redacted] thought it was a teacher workday but later saw children at the school and realized it was not. He believed the incident changed from a barricaded subject to an active shooter when he heard the three shots near the time of his arrival. BPA [redacted] did not know anyone who was in charge at the school and did not know who was in command and control of USBP. He stated USBP's role was to supplement where needed and identified that local law enforcement agencies had authority over the situation. BPA [redacted] believed USBP's authority to respond is their sworn duty to safeguard lives.

BPA [redacted] (UVA), interviewed on March 17, 2023. (Exhibit 191)

On May 24, 2022, BPA [redacted] was assigned to the UVA Planning Team. As he was preparing his lunch, he heard a call broadcast over the radio regarding an active shooter at Robb Elementary School. Immediately upon hearing the radio transmission, he ran to the armory, grabbed an M4 rifle and several magazines, and asked another BPA if he could ride with him. He called UVA while enroute to get clarification on the school and the location. He loaded both rifles while the other BPA drove. They approached a stop sign near the school, parked in the middle of the road, and ran toward the school with other BPAs.

They entered the building through the west entrance at **11:51:15 AM** and asked law enforcement officers in the hallway if they knew which classroom the assailant was in and if they had cleared the classroom but did not get a response.[188] BPA [redacted] told BPA [redacted] to get a vest and a long arm. When BPA [redacted] returned without a vest, BPA [redacted] told him he couldn't be there without a vest.

[188] Video footage captured by static camera located in Robb Elementary School, May 24, 2022.

BPA [redacted] inquired about clearing the classrooms, but no one answered. After SBPA [redacted] arrived, the law enforcement officers in the hall discussed using gas. Then a report of a 911 call came through about a girl inside the classroom stating there were multiple injuries and deceased children inside the classroom. At around the same time, they suddenly heard three or four shots. As the law enforcement officers moved toward the classroom, someone from the rear called out and stopped them. The law enforcement officers formed two lines and BPA [redacted] told SBPA [redacted] he heard they needed keys to open the doors. An unknown law enforcement officer brought keys that didn't work, so BPA [redacted] hung them on a doorknob.

When they finally opened the door, BPA [redacted] lined up second in the line of law enforcement officers that planned to enter Classroom 111. Upon hearing shots, he dropped to the ground with his rifle. Following the breach, BPA [redacted] entered Classroom 111 but was overcome with emotion and exited the building. Afterward, he met with USBP personnel under a tree and was told to go back to UVA.

Initially, BPA [redacted] thought the incident was probably related to a bailout and would be quickly resolved. While running toward the school, he realized it was not related to a bailout. BPA [redacted] informed him it was a barricaded subject situation. BPA [redacted] believed Constable Field had command and control inside the school. While in the school, BPA [redacted] did not know about the large presence of law enforcement officers outside the school. He stated it was hard to get information from the local law enforcement officers but was confident in SBPA [redacted]'s ability to take over when SBPA [redacted] arrived. BPA [redacted] observed that some information could not get through the radio because of a "hot mic." He understood USBP fell into a support role because they were not the first agency to arrive at Robb Elementary School.

BPA [redacted] (UVA), interviewed on March 2, 2023. (Exhibit 120)

On May 24, 2022, BPA [redacted] was at UVA assigned to local patrol when radio traffic indicated that other law enforcement agencies were driving through town with their emergency lights and sirens activated. Radio traffic also indicated there was an active shooter at Robb Elementary School. BPA [redacted] began making his way toward the center of Uvalde. While enroute, he received the address of the school via radio. He parked his GOV on the side of the road near the cafeteria at approximately **12:00:00 PM** and approached the school on foot using other vehicles as cover. He asked a TXDPS trooper what was going on and the trooper stated she had also just arrived and was waiting for additional information. A law enforcement officer near Classroom 13 waved and beckoned BPA [redacted] and provided information about shots fired at the school.

BPA [redacted] remained in the vicinity of Classroom 13 until two Sheriff's deputies arrived, then went with them to the southwest corner of Classroom 18. He opened the unlocked door to Classroom 18 and instructed the students and teacher to remain in the classroom. He informed the Sheriff's deputies there were people inside the classroom and provided a quick brief to two USBP SOD agents and other law enforcement officers as they arrived. BPA [redacted] said the

classrooms needed to be evacuated, and he provided cover near the west building until after the breach.

After the breach, he was tasked with finding a blanket to cover a deceased child, then went inside the building and walked to Classrooms 111 and 112 before someone shouted for everyone who was not working on someone to get out of the building. He exited via the south entrance and went to the adjacent open field and set up a perimeter large enough to land two to three helicopters. He received instructions to meet at a tree in front of the school, where the BPAs were instructed to meet at UVA for a debrief and accountability.

While enroute to UVA, he heard about the need for buses to evacuate people. He stopped and spoke with a bus driver and escorted the bus driver to the funeral home adjacent to Robb Elementary School, where police officers told him to leave the area as he no longer needed to be there. He went to UVA, attended the debrief, returned his GOV keys, and was released for the day. He heard a request for assistance at schools regarding as second threat, so he followed USBP units in his POV and reported to the Uvalde Dual Language Academy, where he assisted with the release of students to their parents. Then he drove home and continued listening to the service radio in case additional assistance was needed.

BPA [redacted] stated that he never heard anything about a plan of action, and no one appeared to be in charge on the south side entrance of the west building. He observed a lot of people standing around waiting for something and believed the overall agency in command was the Uvalde Police Department, even after other agencies arrived. BPA [redacted] observed BPAs on their own actively looking for work and attempting to find ways to help. He believed USBP's role was to eliminate the threat of harm to others due to the active shooter and provide support. He stated he had a responsibility to protect the public once an oath was sworn.

BPA [redacted] (UVA), interviewed on March 20, 2023. (Exhibit 193)

On May 24, 2022, BPA [redacted] was at UVA on day shift and transport duties when he heard over the UVA radio there was a possible active shooter at Robb Elementary School. He drove to Robb Elementary School using emergency lights and sirens and parked near the Hillcrest Memorial Funeral Home at approximately **12:10:00 PM**. He put on his ballistic vest and walked toward the school. As he neared the school, he told a male in a group of civilians that law enforcement would take care of the situation and that the civilian should not enter the school.

BPA [redacted] entered through the west entrance and told a UPD officer he was there to assist in any manner and would go with them if they decided to enter the classroom. The UPD officer told BPA [redacted] a BORTAC team would arrive within 30 minutes. Hearing gunfire at **12:21:00 PM**, BPA [redacted] recalled seeing a group of law enforcement officers line up and move down the hallway toward Classrooms 111 and 112, but they did not go in. He was not sure why the line of officers stopped. Following the gunfire, BPA [redacted] received a set of keys from an unknown individual and used them to open Classrooms 131 and 132, then gave the keys to another officer, who left with them via the west entrance. BPA [redacted] stated he saw several members of BORTAC arrive at the school and eventually enter Classroom 111.

After the breach, BPA [redacted] removed children from under desks and passed them to other BPAs in the room. He assisted with providing medical aid at the T-intersection by getting medical supplies for BPA [redacted]. BPA [redacted] gathered with other BPAs by a tree in front of the school and was instructed to report to UVA. At UVA, he received a clean uniform because his was covered in blood.

BPA [redacted] stated the scene at the school was chaotic and no one was in charge. He was not aware of any children being in any of the school classrooms and thought the assailant killed himself upon hearing three shots fired from the classroom around **12:21:00 PM**. He observed that once BORTAC arrived, they appeared to be in charge of the scene.

SBPA [redacted] (UVA), interviewed on March 7, 2023. (Exhibit 143)

On May 24, 2022, SBPA [redacted] heard radio transmissions regarding a shooting at Robb Elementary School from BPA-I [redacted]. SBPA [redacted] retrieved a rifle from the UVA armory and drove a GOV to Robb Elementary School, arriving at approximately **12:15:00 PM**. As he was running toward the school, another law enforcement officer told him there was a guy pinned in a room and they were negotiating with him. SBPA [redacted] entered the school through the south door between Classrooms 102 and 108 and helped evacuate students. He exited through the south door and went to the grassy area on the east side of the classrooms to make sure no one was there to prevent a crossfire situation during the breach.

Following the breach, he reentered the school after BPA [redacted] exited. SBPA [redacted] went toward Classrooms 111 and 112 and helped move three deceased children into Classroom 132. He exited through the east side door and helped other law enforcement officers clear the library, then attended the muster near the tree at the school. He went to UVA and attended the muster there and helped compile a list of all USBP personnel from UVA who were at Robb Elementary School. He left UVA to go home around **8:00:00 PM**.

Upon his initial notification about the incident, SBPA [redacted] thought it was only a threat of a shooting, not an actual shooter. Upon arriving at the school, he believed it was a barricaded subject because there were no gunshots and no information about children in classrooms. He did not know who was in charge or in command when he first arrived. After entering the south end of the school, he believed UCISDPD Chief Arredondo was in command because UCISDPD Chief Arredondo was giving directions to fellow law enforcement officers in the south end of the hallway. SBPA [redacted] stated USBP's role would be as support if an incident did not have anything to do with drugs or immigration, and he believed USBP would have an obligation to respond because it was a shooting.

BPA [redacted] (CAR), interviewed on March 7, 2023. (Exhibit 142)

On May 24, 2022, BPA [redacted] was off duty in Uvalde. While on his way home from working out at an Uvalde area track, he saw a TXDPS vehicle with lights and sirens driving fast through town. He followed the TXDPS vehicle, saw a vehicle in a ditch near Robb Elementary School, assumed it was a traffic-related crash, and proceeded home. While enroute, [redacted], who is [redacted]

[redacted], received a call to come to work at the hospital immediately due to a shooting.

At home, BPA [redacted] gathered his duty belt, firearm, and ballistic vest, and self-deployed to the scene of the accident, arriving at approximately **12:20:00 PM**. He notified an SBPA at CAR that he was on scene at the school, then proceeded to the north side of the school where a police officer informed him that there was a barricaded shooter. BPA [redacted] received a call from WC [redacted], who informed him that BORTAC was on scene and not to get involved. BPA [redacted] saw a TXDPS trooper checking Classrooms 15 and 16 and assisted the trooper in evacuating the children and directing them to the east parking lot.

After the breach, BPA [redacted] moved to the south side of the west building and entered Classroom 112, where he picked up a girl who he then determined was deceased and placed her back on the ground. He saw a boy sit up and did not observe any injuries on him, so he directed the boy toward the officers down the hallway. He helped another officer carry a deceased girl out of the classroom, then was requested to assist in clearing the rest of the building (Classrooms 108–110).

He exited through the south door and met with other USBP personnel at a tree on the north side of the building, where they were instructed to report to UVA for a briefing. At UVA, he was deployed to the hospital to provide security, but upon arrival he observed several other BPAs already there. After recognizing there were enough personnel at the hospital, he was directed to deploy to the Civic Center. After his time at the Civic Center, another BPA drove him back to UVA to retrieve his vehicle, then he returned home.

BPA [redacted] was unable to identify whether anyone was in command and control while he was at Robb Elementary School. He stated USBP had a responsibility to respond and assist as needed.

SOS [redacted] (UVA), interviewed on March 1, 2023. (Exhibit 110)

On May 24, 2022, SOS [redacted] was driving to the USBP Uvalde checkpoint when he heard radio traffic about a vehicle crash, which he assumed was related to a bailout. He received a call from CBP OPR ASAC [redacted] asking if the watch commander was on the ground. SOS [redacted] called the watch commander and learned there was a shooting at Robb Elementary School. He then drove to UVA, grabbed a bag with magazines and ammunition, and headed to Robb Elementary School. He parked on South Grove Street to avoid blocking the road for emergency vehicles and proceeded toward the school on foot at approximately **12:25:00 PM**. He ran toward the school, where he briefly encountered (A)PAIC [redacted], but then turned his attention toward someone who was escorting a woman and yelling for a medic.

SOS [redacted] called for an EMT from the area where EMS were parked. He guided children running away from the building toward the northwest corner of the school grounds and made his way to the south side of the school building, where he interacted briefly with Constable Zamora. He entered the building through the south door after hearing gunshots and made his way toward Classrooms 111 and 112. After the breach, he directed two girls to the triage area and attempted

to enter Classroom 112 to help pull children out but heard someone say only medics were allowed in. He returned to the south entrance and received rifles from other BPAs who were bringing out an injured child. All USBP personnel were directed to regroup on the north side of the school, then everyone not actively engaged at the school was directed to report to UVA.

At UVA, SOS [redacted] worked on logistical matters such as obtaining clean uniforms for agents. He received a call about another possible shooter at the Uvalde High School, so he reported to the high school and assisted with traffic and perimeter security for approximately one hour. He then returned to UVA and went home.

SOS [redacted] believed Constable Zamora was in charge of the south entrance of the school because Constable Zamora was communicating directly with UCISDPD Chief Arredondo. SOS [redacted] believed UCISDPD Chief Arredondo had overarching command of the incident because he heard UCISDPD Chief Arredondo attempting to communicate with the assailant. SOS [redacted] believed the situation was a barricaded subject because that is what Constable Zamora told him and because Chief Arredondo was attempting to communicate with the assailant. SOS [redacted] did not believe anyone from USBP was in charge or in command at Robb Elementary School and stated that USBP's role was to provide support to local law enforcement agencies. He was not aware of any legal authority to respond to an active shooter situation, but stated an agent responds when assistance is needed, and that law enforcement backs each other up.

BPA [redacted] (CAR), interviewed on March 13, 2023. (Exhibit 172)

On May 24, 2022, a neighbor, who was a Texas Parks and Wildlife (TPWD) Game Warden, arrived at BPA [redacted]'s house to request BPA [redacted]'s wife to watch the Game Warden's children while the warden responded to a shooting at Robb Elementary School. The warden requested BPA [redacted] respond with him. BPA [redacted] drove to the school in his unmarked USBP K9 truck, following the Game Warden, with lights and sirens activated. He parked some distance away and ran toward the school, arriving at approximately **12:30:00 PM**. He observed people already lined up across from the school and a BPA directing traffic. The TPWD Game Warden led him toward the school where other law enforcement personnel were staged.

BPA [redacted] assisted with breaking windows from outside of the west building and pulling children from classrooms. He entered the building via the west entrance and joined the law enforcement officers staged in the north end of the hallway. There was a lot of discussion, a period of time of waiting around, more discussion, and then someone arrived with keys, but they were the wrong ones. The correct keys arrived, but UCISDPD Chief Arredondo and TXDPS Ranger [redacted] wanted the group to wait. BPA [redacted] heard two separate occasions of gunshots from inside the classroom.

The group of law enforcement officers formed two teams with BPA [redacted] on the north side of the classroom doors. The other team entered the classroom and there was a "massive" exchange of gunfire, upwards of 60–80 rounds. The team was instructed to wait to enter, then there was a call for everyone to come into the classroom. BPA [redacted] assisted a male teacher

from the classroom to the triage area. He yelled at law enforcement officers who were standing in the hallway in a state of shock and instructed them to assist. BPA [redacted] assisted with carrying a female teacher outside because the triage area in the hallway was full. He assisted with carrying out a deceased child, then returned to the classroom and was informed everyone had to leave the classroom, so he left.

Next, he was requested to assist with clearing adjacent classrooms and the rest of the building. When the remaining classrooms were clear, he exited the building and was requested to secure the south entrance but was relieved from that after less than a minute. BPA [redacted] assisted with comforting a TPWD Game Warden and confirmed that they were both part of the group of law enforcement officers who entered the classrooms. Then BPA [redacted] was instructed to report to the front of the school where there was a debrief and the BPAs were instructed to meet at UVA. He met with two BPAs and the Game Warden to make sure they were okay before departing. BPA [redacted] went home to change clothes, then reported to UVA, then went home again. He received a call from a Game Warden that there was a threat of another shooter and offered to respond.

BPA [redacted] was informed multiple times that the situation was that of a barricaded shooter. He believed USCISDPD Chief Arredondo was in command and control with assistance from TXDPS Ranger [redacted]. BPA [redacted] did not see anything like a traditional incident command set up. He believed USBP had authority and a duty to respond to preserve life and prevent immediate loss of life.

BPA [redacted] (UVA), interviewed on March 14, 2023. (Exhibit 177)

On May 24, 2022, BPA [redacted] was working at the [redacted] conducting maintenance on cameras when a call came over the radio requesting all available agents to respond to Robb Elementary School for shots fired. BPA [redacted] departed the ranch and headed toward Uvalde in his GOV. He parked on the west side of the school at approximately **12:30:00 PM**, near a truck that was in a concrete ditch, put on his body armor, and asked another BPA what was going on. He approached the school, where UPD Officer [redacted] told him they needed to keep people back because ambulances were headed to the school.

BPA [redacted] turned and directed the crowd to stay back and make a path for ambulances. He observed BORTAC arrive on scene and a short time later, people began coming out of the school carrying injured children. BPA [redacted] ran over and asked how he could help. He entered the school, but realized he was in the way and exited. He handed out bottles of water to BPAs and other law enforcement officers. The BPAs then backed off from the scene and rallied around a tree, where they received instruction to report to UVA for further debriefing. BPA [redacted] returned to UVA and observed agents with blood on their uniforms. A call came over the radio that there was a threat made against Uvalde High School, but BPA [redacted] had already turned in his GOV, so he prepared to travel home in a commuter van with other BPAs. BPA [redacted] did not know who had command of the scene at Robb Elementary School.

BPA [redacted] (BRA), interviewed on March 10, 2023. (Exhibit 162)

On May 24, 2022, BPA [redacted] was on duty in a GOV working as a ranch liaison with another BPA when he received a text from [redacted] asking if he had heard anything about a shooting at Robb Elementary School. Initially he believed the incident was a failure to yield. The BPAs returned to BRA to determine what had happened. There, SBPA [redacted] said that EMTs were needed at Robb Elementary School. BPA [redacted] and the other BPA went to Robb Elementary School. They parked near South Park Street and Geraldine Street and walked to the funeral home across the street from the school, arriving at approximately **12:40:00 PM**. There, they were informed that law enforcement officers were about to enter the classroom.

BPA [redacted] entered through the west side of the school and as he entered, he immediately heard gunshots from the breach. He helped evacuate children and move deceased children to clear the area for law enforcement officers to move around in the hallway. He walked down the hallway to determine if [redacted] was still in his classroom and was informed that everyone had to leave the building because the area was a crime scene. He exited through the west entrance and began conducting crowd and traffic control outside Robb Elementary School. He attended a muster of all BPAs by the north end of the school, then took [redacted] to Walgreens and took another student home. BPA [redacted] then drove to UVA before returning to BRA. He indicated he had a responsibility to respond as part of his official duties.

BPA-I [redacted] (DRT), interviewed on March 15, 2023. (Exhibit 194)

On May 24, 2022, BPA-I [redacted] was assigned to the midnight shift at DRT. He woke up at home to approximately 20 missed calls and texts from [redacted] indicating there had been shots fired at Robb Elementary School. He turned on his service radio and government cell phone and sent a text from his personal cell phone to SBPA [redacted] inquiring about the situation and offering assistance. SBPA [redacted] responded that BPA-I [redacted] could report to the Civic Center to assist. BPA-I [redacted] decided to respond to Robb Elementary School. He put on his government-issued body armor and responded in his personal vehicle. He heard a radio report of a 911 call coming from inside a classroom. He arrived near the school at approximately **12:50:00 PM** and proceeded on foot to the funeral home and attempted to assist where he could.

A few minutes later, he observed law enforcement officers flooding out of the west hallway of the school with victims, so he proceeded there to provide assistance. He entered the west hallway and went to help an agent in the triage area, but another medic arrived so he went to assist other law enforcement officers in clearing the rest of the building. He was instructed to exit the building after it had been declared a crime scene, so he exited and went to the large tree on the north side of the school where all BPAs were instructed to meet. There, they were instructed to report to UVA.

After arriving at UVA, BPA-I [redacted] heard a report of a possible threat at another school in the area, so he responded to Dalton Elementary School where [redacted] was a student. He assisted in providing security there until **6:00:00 PM**, then retrieved [redacted] and went home. BPA-I [redacted]

stated the radio traffic was chaos and he was unable to determine who, if anyone, was in command of the incident. He stated it was his responsibility as a federal agent to respond.

CBP PERSONNEL ON PERIMETER OF ROBB ELEMENTARY SCHOOL PRIOR TO BREACH

Other CBP personnel arrived at Robb Elementary School prior to 12:50:00 PM but remained outside the west building. The following is a summary of the interviews provided by these employees:

BPA [redacted] (UVA), interviewed on March 6, 2023. (Exhibit 138)

On May 24, 2022, BPA [redacted] was assigned to the Uvalde checkpoint and heard over the radio that there was an active shooter at Robb Elementary School. He and his partner immediately grabbed their equipment and headed to their vehicles. BPA [redacted] called SBPA [redacted] from his vehicle and informed him that he should probably have his tactical unit respond to the school. BPA [redacted] drove to the school and parked near the cafeteria building at approximately **11:50:00 AM**. He asked a civilian in the area if they could find bolt cutters to get through the locked gate at the entrance to the school. The civilian returned with bolt cutters and BPA [redacted] used them to gain access to the school through the gate.

He went to the southwest corridor of the building with Classrooms 19–23, where he received a call informing him to relocate because the assailant was believed to be in a classroom with windows facing his location. He relocated to Classroom 23 and held up a USBP hat at the classroom window so the students and teachers would know he was law enforcement and open the locked doors. He evacuated students from Classrooms 19–23 and directed them out through the gate where he had entered. After law enforcement officers began exiting the south hallway of the building where the assailant was located, he covered a deceased child with a blanket. A BORSTAR agent asked him to take the BORSTAR agent's M4 rifle so the BORSTAR agent could assist with medical aid. BPA [redacted] returned the rifle to other SOD members during the muster near the tree prior to departing the school for UVA.

BPA [redacted] stated the response was a mess with a lack of coordination. He did not know who, if anyone, was in command and did not hear any radio traffic indicating who was in command.

BPA [redacted] (CAR), interviewed on March 7, 2023. (Exhibit 141)

On May 24, 2022, BPA [redacted] was off duty at [redacted] when he received text messages from [redacted], who was [redacted] at Robb Elementary School. BPA [redacted] left the barber shop with the barber, who provided BPA [redacted] with a personally owned shotgun. They parked in an alley off Geraldine Street at approximately **11:50:00 AM** and ran toward the school. He did not have any assigned work gear or a radio but found a USBP plate carrier with plates on the ground, put the plates in the vest, and put on the vest. He walked toward the west entrance of the school, where he encountered the owner of the vest, so he removed it. He received a text message from [redacted] that she was out of the school, so he began to search for [redacted]. He

encountered two UPD officers and cleared Classrooms 19–23 with them, finding [redacted] in Classroom 21. He began clearing Classrooms 13–18 and guided children and teachers toward the sidewalk. He asked another BPA for a ride to his vehicle, then walked to the funeral home to see if anyone needed assistance. He drove the barber to the Civic Center to look for the barber's son, then went back to Robb Elementary School.

BPA [redacted] stated he did not know who was in command or control. He took direction from UPD officers in helping to clear classrooms. He was not sure of USBP's authority, but stated BPAs always respond to these types of events.

BPA [redacted] (UVA), interviewed on March 21, 2023. (Exhibit 203)

On May 24, 2022, BPA [redacted] was assigned to the USBP Uvalde Checkpoint and heard BPA-I [redacted] relay via the service radio that UPD was responding to an individual with a gun near Robb Elementary School. BPA [redacted] self-deployed to Robb Elementary School from the checkpoint, along with other BPAs, arriving at approximately **11:50:00 AM**. He took pictures of a truck in a culvert with a rifle and duffle bag nearby, then stayed with the truck to secure that scene.

He received information from a civilian on the appearance of the assailant and relayed the information via radio. He requested a detective to his location, but no one responded, so he obtained the civilian's information and provided it to TXDPS Rangers. BPA [redacted] remained with the abandoned vehicle for the duration of the incident and fielded questions from civilians until TXDPS relieved him. Once relieved, he received instruction to go to UVA.

While at UVA, he heard of a possible second threat at Uvalde High School. He informed other BPAs of the second threat, then self-deployed to that area. He assisted with setting up a perimeter at the middle school area and instructed parents to stay back until the school district figured out how to release all the children. He cleared the entire area due to a report of a suspicious subject near the soccer field, then returned to the middle school and focused on evacuating children and reuniting them with their families.

BPA [redacted] assumed USBP would be on scene in a support role to help UPD with perimeter security. He assumed UPD would be in charge because it was within the city limits of Uvalde.

BPA [redacted] (UVA), interviewed on March 3, 2023. (Exhibit 132)

On May 24, 2022, BPA [redacted] was eating lunch when he heard "shots fired" over his radio. He left the café and went to his GOV, where he heard, "shots fired, all agents respond to Robb Elementary School." He responded, arrived, and parked at approximately **11:50:00 AM**. By that time, the school was already surrounded by law enforcement officers and there was no guidance on the radio about where to go. Sheriff Nolasco asked him to help with crowd control.

BPA [redacted] assisted with clearing the street and moving parents back toward the funeral home. He began clearing Classrooms 19–23 with other BPAs, then remained at the corner of Classroom 23 to provide security. After hearing radio transmissions regarding the breach and that the

assailant was down, he ran to the south entrance of the school to offer aid. He offered emotional support to law enforcement officers coming out of the school, then went to the tree at the north end of the school to meet with other BPAs, where he was ordered to return to UVA.

BPA [redacted] was not aware of any CBP leadership guidance while on the scene. He stated that radio transmissions were confusing, flooded with traffic, and there was a "hot mic" situation.

BPA [redacted] (UVA), interviewed on March 2, 2023. (Exhibit 121)

On May 24, 2022, BPA [redacted] was assigned to use of force training at UVA and was on break from training when he heard over the radio about an incident unfolding at Robb Elementary School involving the words "active shooter." BPA [redacted] received a rifle and plates from SBPA [redacted], who instructed him and other BPAs to go to the school to assist. BPA [redacted] rode as a passenger with other BPAs to Robb Elementary School, where they arrived at approximately **11:50:00 AM**. They parked a block away from the school and he spoke to a Sheriff's deputy to gather information. BPA [redacted] stayed near BPA [redacted] because BPA [redacted] didn't have a radio. He verbally reassured parents that law enforcement was going to take care of the situation and joined a TXDPS trooper in directing children away from the west side of the school. He was then directed to come closer to the school to provide cover for student evacuations.

After that evacuation was complete, he transitioned to the southeast corner of the building near Classroom 109 and assisted with evacuating children and an adult through the window of Classroom 109. BPA [redacted] and another agent were instructed to watch the windows on the east side of the building. They heard about a breach attempt over the radio, then heard the assailant was down. He attempted to enter the school to assist with the medical response, but someone didn't allow him, saying there were enough people. He agreed, so he went to help elsewhere.

He assisted with guiding an ambulance, then moved to console an unknown BPA. He gathered with other BPAs at a tree on the north side of the building, where they were instructed to go to UVA for a debriefing. He walked back to his vehicle alone and waited for BPA [redacted], then they drove to UVA. He returned the plates and rifles to the armory and heard talk of an accomplice or second shooter that didn't sound credible, then went home.

BPA [redacted] did not feel that anyone was in charge of the scene at Robb Elementary School or that anyone was in control of communications. He did not know who was in charge of the medical response, although he noticed a lot of BPAs providing medical assistance. He felt he should help as a law enforcement officer.

Retired AIA [redacted] (AMO Del Rio), interviewed on August 2, 2023. (Exhibit 226)

On May 24, 2022, AIA [redacted] was working the day shift, flying a CBP helicopter alone in Eagle Pass, Texas, near [redacted] in support of BORTAC agents apprehending a group of suspected migrants, when he received a call over the DRT radio regarding a possible shooting in Uvalde. Dispatch directed him over the radio to immediately fly toward Uvalde. He communicated to the BORTAC agents that he was departing, not aware of the details and scope of the situation when

he departed. AIA [redacted] flew on scene at Robb Elementary School for approximately 20 minutes beginning at approximately **12:00:00 PM**. He communicated the location of the assailant to the TXDPS helicopter, then yielded the scene to TXDPS and took the AMO helicopter to the CBP Air Branch at the Uvalde airport. He remained there for a few hours awaiting instruction before returning to Del Rio.

AIA [redacted] understood that state and local law enforcements on scene should have had command and control over the incident at Robb Elementary School and that CBP's role was to provide them with assistance, backup, and resources. He stated that he responded because it was a violent felony in progress.

WC [redacted] (UVA), interviewed on March 1, 2023. (Exhibit 111)

On May 24, 2022, WC [redacted] was the day shift administrative watch commander at UVA when he heard BPAs come on the radio and ask the operations center at UVA if anything was going on due to a heavy police response in town. Several minutes later, an unknown agent broadcast on the radio that there was a shooter at Robb Elementary School and that local police requested USBP assistance for security and crowd control. WC [redacted] gathered his equipment while deciding who was going to stay back at the station. He asked SBPA [redacted] to contact BORTAC and make sure they were aware and responding. He went to the armory to get a long gun and found that all M4 rifles and magazines were already issued, so he got a 12-gauge shotgun with 00 buckshot rounds. He gathered equipment and water and rode in WC [redacted]'s GOV while attempting to make phone calls and notifications of the situation.

WCs [redacted] and [redacted] parked two blocks from the school and walked toward the funeral home, arriving at the funeral home at approximately **12:00:00 PM**. From there, they proceeded toward the west door of the west wing of the school. WC [redacted] ordered a couple of BPAs in the area to go with UPD Officer [redacted] to assist with crowd control at the funeral home, then moved to the front of the school and attempted to break the lock on a gate to facilitate the evacuation of children until someone showed up and unlocked the gate. He moved to a breezeway to provide cover and direct children as they exited, but then was informed they were no longer going to evacuate the children. He proceeded to the east doorway of the west building, where he was waved back. He then moved toward the north side of the building where law enforcement officers were arriving with tactical gear. He asked SBPA [redacted] if BORTAC on scene should be put on the Evolving Situation Report and SBPA [redacted] said yes.

WC [redacted] spent time telling people where others were located and answering a variety of questions. He received a call from DPAIC [redacted]. During the call, at approximately **12:50:00 PM**, he heard shots fired from within the school, so he hung up and made his way to the west door. He approached BPA [redacted], who was injured, to check on him, then walked BPA [redacted] to Geraldine Street, where he requested SBPA [redacted] take BPA [redacted] to the hospital. WC [redacted] gathered water and walked back to a tree with other USBP personnel, where everyone was asked to return to UVA by **2:00:00 PM**. He took over answering incoming calls at UVA from (A)PAIC [redacted] when (A)PAIC [redacted] left.

From UVA, WC [redacted] responded to Flores Elementary School after hearing of a threat at other schools. He understood the subject at Robb Elementary School was barricaded, isolated, and contained inside the school. He never thought it to be an active shooter based on what he observed and was told upon arrival. He believed the Uvalde County Sheriff's Office was overseeing the scene and observed that communication was very hard at the scene due to patched radio frequencies and difficulty hearing who was talking. WC [redacted] understood state and local police were working the situation because UVA did not have any of the equipment he saw. He believed USBP personnel knew that USBP did not have any statutory authority to respond and that they were there in a backup capacity. WC [redacted] stated that anything USBP was doing was at the direction of the local police department because it was USBP's responsibility to respond and assist.

WC [redacted] (UVA), interviewed on March 2, 2023. (Exhibit 118)

On May 24, 2022, WC [redacted] was working the day shift at UVA, performing administrative duties, when he heard a BPA ask over the radio if something was going on because TXDPS was running lights and sirens through the Uvalde area. No one responded, and approximately 10 minutes later, the same BPA transmitted there was an active shooter at Robb Elementary. WC [redacted] spoke to WC [redacted], and they decided to respond to the school. WC [redacted] went to the UVA armory to get their assigned M4 rifles but discovered there were no M4 magazines available. He checked out two shotguns instead. They traveled together in WC [redacted]'s assigned GOV and parked several blocks away from the school due to heavy traffic in the immediate vicinity. Based on the number of local law enforcement officers on scene at the time of his arrival at approximately **12:00:00 PM**, he assumed the situation was under control.

WC [redacted] tasked SBPA [redacted] to create an Evolving Situation Report and provide information to USBP DRT. WC [redacted] encountered (A)PAIC [redacted] several times but they did not stay together very long. WC [redacted] assisted BPA [redacted], who was wounded, and passed BPA [redacted] off to BPA [redacted], instructing BPA [redacted] to take BPA [redacted] to the hospital. WC [redacted] met with all BPAs, then received information about a threat to other schools via social media. He left the school with WC [redacted] and went to Flores Elementary School to provide security until approximately **7:00:00 PM**, then returned to UVA and went home.

WC [redacted] believed TXDPS and the Uvalde Police Department were in charge of the incident. He was unaware of the location of the assailant or how many victims were in the school and was under the impression that the assailant was barricaded in a classroom or a closet by himself somewhere in the building that contained Classrooms 111 and 112. Based on the number of local law enforcement officers on scene when he arrived, WC [redacted] initially assumed the situation was well in hand. He did not believe any member of USBP was in command of the incident and did not see or become aware of the presence of a command post on scene. He observed inaccurate information was transmitted over the radio throughout the incident, which caused confusion, and was aware of law enforcement officers requesting perimeter security from the BPAs on scene. WC [redacted] stated BPAs have a responsibility to respond to shooter incidents and it is common practice to assist local law enforcement officers.

BPA [redacted] (UVA), interviewed on March 14, 2023. (Exhibit 178)

On May 24, 2022, BPA [redacted] was scheduled to conduct use of force training when it was broadcast over the UVA intercom that there was an active shooter at Robb Elementary School and for BPAs to grab their gear and respond. He grabbed his ballistic vest and M4 rifle and responded to the school in a GOV, arriving between approximately **12:00:00 PM** and **12:10:00 PM**. He parked a few blocks away because the path to the school was blocked by numerous law enforcement vehicles. He proceeded to the school on foot, taking cover behind a telephone pole north of Classroom 129. He moved to the east side of the school, cleared two restrooms, and ended up near the cafeteria. He provided cover while other BPAs cleared and evacuated students from Classrooms 13–18 and 31–34. He returned to the north side of the school after hearing "shooter down" and instructed a TXDPS EMT to assist BPA [redacted], who was wounded.

BPA [redacted] gathered with other BPAs near a tree on the north side of the school, then returned to UVA, worked out for an hour to relieve stress, then went home. BPA [redacted] could not identify who, if anyone, was in command of the incident. A UCISDPD officer told BPA [redacted] that the UCISDPD police chief was inside the school with the assailant, which BPA [redacted] understood to mean in the same room at the assailant. BPA [redacted] was under the impression that the incident was an active shooter situation, and he heard the door to the classrooms was locked and a key was needed. He believed he had responsibility as a BPA to respond and assist.

BPA [redacted] (UVA), interviewed on March 22, 2023. (Exhibit 209)

On May 24, 2022, BPA [redacted] was at UVA attending training. During a training break, he heard radio communications concerning an active shooter and a request that available law enforcement officers respond. BPA [redacted] retrieved a rifle from the UVA armory, along with other BPAs, and rode to Robb Elementary School with another BPA in a marked USBP vehicle with emergency lights and sirens activated, arriving between approximately **12:00:00 PM** and **12:10:00 PM**. They parked approximately one block away and walked toward the northeast side of the building where the shooting occurred. BPA [redacted] positioned himself near the classrooms east of that building and relayed information to WC [redacted]. He evacuated children from the classrooms east of the building where the assailant was located and evacuated children from Classrooms 7–12. Periodically, he met with law enforcement officers outside the west building to obtain situational updates while continuing to evacuate children.

He moved to the cafeteria, where staff did not want to evacuate, then he was instructed to go to the funeral home to assist with loading children onto buses. He did not know where it was and could not drive anywhere because the roads were blocked with vehicles, so he returned to Robb Elementary School, where he encountered BPA [redacted] and drove him to the hospital. BPA [redacted] took BPA [redacted]'s vehicle, firearms, and equipment back to UVA, then turned in his own vehicle keys and returned home.

BPA [redacted] believed the assailant was contained within the school library based on information from a UPD officer. BPA [redacted] did not know who was in charge of the law enforcement

response to the shooting at Robb Elementary School and indicated that USBP responded to the shooting to support other law enforcement officers.

BPA [redacted] (UVA), interviewed on March 20, 2023. (Exhibit 198)

On May 24, 2022, BPA [redacted] was working in the unaccompanied minor processing group for UVA. While listening to the UPD radio, he heard dispatch state there was an active shooter at Robb Elementary School. BPA [redacted] loaded several cases of water into a marked USBP vehicle and drove with another BPA to Robb Elementary School. They arrived approximately between **12:00:00 PM** and **12:30:00 PM** and parked on the east side of the school. There, he instructed teachers and children leaving the school to run toward waiting school buses.

He was then instructed to bring the water to the funeral home, so he drove there, then walked to the school's west entrance where he offered to help BPA [redacted], who was performing chest compressions on an adult female. BPA [redacted] attempted to enter the west entrance of the school but was turned away by an unknown law enforcement officer who said there was no one left in the school to help.

BPA [redacted] met with other USBP personnel at the front of the school for a short gathering, then drove back to UVA with another BPA. He picked up his children from school and took them home, then went to Dalton Elementary School, where his wife works, to provide security until the end of the day.

Initially, BPA [redacted] thought the incident was probably a bailout near a school. The radio traffic he heard at the school was about an active shooter who was barricaded within a school classroom. BPA [redacted] stated he responded to the scene in order to help the local law enforcement officers in a secondary capacity.

(A)PAIC [redacted] (UVA), interviewed on March 6, 2023.(Exhibit 134)

On May 24, 2022, (A)PAIC [redacted] was returning from [redacted] award ceremony at Robb Elementary School when he heard radio traffic about shots being fired near the school. He drove to UVA to retrieve his government-issued Glock 47, handheld radio, and body armor, then drove toward the school, arriving at **12:05:00 PM**.[189] He attempted to contact USBP and other law enforcement agencies by phone but was unable to reach anyone. He had to park a distance away from the school because of a large number of first responders and civilian vehicles parked in the middle of the streets. He approached Sheriff Nolasco for information. Sheriff Nolasco requested USBP provide perimeter security. (A)PAIC [redacted] also approached UCSO Chief Deputy [redacted] to ask what USBP could do to help. Chief Deputy [redacted] informed him it would be a while because law enforcement personnel were trying to negotiate with the subject.

[189] OPR interview of XO [redacted], March 15, 2023, timestamp 08:41:30; OPR interview of ACPA [redacted], March 1, 2023, timestamp 00:36:17; OPR interview of PAIC [redacted], March 23, 2023, timestamp 00:58:25; OPR interview of SOS [redacted], March 1, 2023, timestamp 12:12:22; OPR interview of WC [redacted], March 1, 2023, timestamp between 01:04:10 and 01:13:00; OPR interview of WC [redacted], March 2, 2023, timestamp 08:28:00; OPR interview of BPA [redacted], March 21, 2023, timestamp 01:07:16.

(A)PAIC [redacted] called UVA to request water and that the supervisor begin working on the Evolving Situation Report. Sheriff Nolasco requested assistance guiding parents to the funeral home where the children were being evacuated. (A)PAIC [redacted] and another BPA directed parents and made and received phone calls with other USBP personnel to update them on the situation.

After the classroom was breached, all law enforcement personnel at the funeral home ran to the school. (A)PAIC [redacted] attempted to console other BPAs who were visibly shaken up and encouraged them to remove themselves from the scene. (A)PAIC [redacted] went to the Civic Center, where he was reunited with [redacted] and [redacted] He remained at the Civic Center to provide perimeter security. (A)PAIC [redacted] believed Sheriff Nolasco was in charge because he was the highest-ranking law enforcement officer in the county. The Sheriff said the assailant was held up in a room, so (A)PAIC [redacted] believed the situation was a barricaded subject. (A)PAIC [redacted] stated USBP's role was to support other law enforcement agencies for the benefit of public safety and rendering aid. He believed he had a duty to respond to a felony in progress.

SBPA [redacted] (USBP Erie Station, Pennsylvania), interviewed on February 28, 2023. (Exhibit 109)

On May 24, 2022, SBPA [redacted] was assigned to UVA when he heard a radio transmission on his service radio asking for all available agents to respond to Robb Elementary School. He went to the UVA armory and retrieved his assigned M4 rifle and keys to his assigned GOV, donned a ballistic vest, loaded the rifle, and drove to Robb Elementary School, arriving before **12:15:00 PM**. He blocked off the intersection of Old Carrizo Road and Cargile Street with his GOV and set up security. He instructed a person who was filming the school to move and instructed a person in a car to move. He asked the school security guard what was going on and the guard told him about a possible school shooter near the school's cafeteria. While providing security, he shared the information he knew about the potential shooter with two other law enforcement officers. He called WC [redacted] (UVA) at **12:20:00 PM** to seek instructions and was directed to remain at his current location because there were plenty of law enforcement officers at the front of the school. When an unknown BORTAC agent arrived at his location, SBPA [redacted] provided him with the information he had before the BORTAC agent was called to the front of the school. Prior to the breach at **12:50:00 PM**, EMS personnel arrived at SBPA [redacted]'s position near Old Carrizo Road. Because of the still-active nature of the situation, SBPA [redacted] escorted them onto the school grounds by the cafeteria building and staged with the EMS personnel near Classroom 18. SBPA [redacted] told the EMS personnel not to enter the field of fire from the exterior windows of Classrooms 111 and 112.

Following the breach of Classrooms 111 and 112, he attempted to enter the hallway near the south entrance to assist, but someone yelled for non-EMS people to get out. He then began helping to gather BPAs together at a rally point on campus. After gathering at the rally point, all BPAs were instructed to return to UVA. SBPA [redacted] drove BPA [redacted] there. At UVA, BPAs received information that the assailant's girlfriend threatened to attack another school and several BPAs left the station to respond to area schools. At approximately **3:15:00 PM**, SBPA [redacted] was asked to go to the local hospital to deliver the workers compensation paperwork

needed for BPA [redacted]. Following his trip to the hospital, SBPA [redacted] returned to UVA and then went home.

SBPA [redacted] identified that the radio traffic was problematic. For example, law enforcement officers were interrupting each other's transmissions and misinformation was being broadcasted. SBPA [redacted] stated that he received information that the incident turned from an active shooter to a hostage situation shortly after arriving on scene at approximately **12:15:00 PM**. Several people asked him if he was in charge and he said no, he was there to assist. He was unaware if anyone was designated in command of all CBP personnel and was under the impression that USBP was on scene at Robb Elementary School in a support role.

BPA [redacted] (UVA), interviewed on February 9, 2023. (Exhibit 49)

On May 24, 2022, BPA [redacted] was working an overtime shift driving a marked GOV transport van assisting with a smuggling load that had been detained outside of Uvalde when he heard a radio transmission from UVA indicating there was an active shooter at Robb Elementary School. Upon hearing the radio transmission, BPA [redacted] activated his lights and sirens and drove to the south side of the school, arriving at approximately **12:15:00 PM**. When he arrived, he spoke with an unknown TXDPS Trooper who told him, "The chief is in the room with the guy."[190] This led BPA [redacted] to believe the situation was a standoff, so he began conducting traffic control at a nearby intersection because people and vehicles had begun to gather. BPA [redacted] assisted other law enforcement personnel with transporting students and teachers to the Civic Center in his GOV, then attended an impromptu muster at the Uvalde Border Patrol Station. He went to Flores Elementary School, where he secured school exits and provided perimeter security around the cafeteria. BPA [redacted] believed his role was to show up, assist, and do whatever needed to be done.

BPA [redacted] (BRA), interviewed on March 2, 2023. (Exhibit 124)

On May 24, 2022, BPA [redacted] was a trainee (BPA-T) at the USBP Brackettville Station working in the BRA area of responsibility with other BPAs. As they were loading migrants into a transport vehicle, the driver asked them if they had heard about the active shooter at Robb Elementary School. BPA [redacted] told BPA-T [redacted] to accompany him to the school. BPA [redacted] drove the GOV with lights and sirens activated and parked two blocks from the school at approximately **12:15:00 PM**. They ran to the funeral home across the street from the school.

BPA-T [redacted] documented the names of all the BPAs he saw and established a perimeter, creating space between the funeral home and the school. He instructed civilians to move because they were too close to the street. He maintained the perimeter for a couple of hours and directed parents to pick up their children at the Civic Center or Uvalde High School. A woman with a child ran at him from the west side of the funeral home and did not follow his commands to stop, so he absorbed her impact and captured her in an embrace to prevent injury to her.

[190] OPR interview of BPA [redacted], February 9, 2023, timestamp 00:14:59.

BPA-T [redacted] assisted with clearing Classrooms 1–6 at Robb Elementary School and placed a chair in each doorway to indicate it had been cleared. BPA-T [redacted] departed for UVA and drove BPA [redacted], who was not in a condition to drive himself, to BRA. BPA-T [redacted] believed USBP's response was due to their status as first responders and law enforcement officers. He believed if there was an active shooter, it was USBP's responsibility to respond, assist, and stop the threat if needed. He believed Texas Rangers had command and control of the perimeter area.

BPA [redacted] (CAR), interviewed on February 28, 2023. (Exhibit 102)

On May 24, 2022, BPA [redacted] was working at the CAR checkpoint when he received text messages from [redacted] notifying him that there was an active shooter at Robb Elementary School in Uvalde. BPA [redacted]'s [redacted] was [redacted] in Classroom 110 at Robb Elementary School and was taking [redacted] toward the playground when [redacted] heard gunshots. BPA [redacted]'s [redacted] was a [redacted] at Robb Elementary School and [redacted] attended Uvalde-area schools, including Robb Elementary School.

BPA [redacted] told a coworker about the active shooter and said he had to go. BPA [redacted] called the on-duty supervisor and advised him of the active shooter in Uvalde and asked if he could take his GOV to the situation. WC [redacted] said BPA [redacted] should take his POV and go in an off-duty status. BPA [redacted] parked near Highway 83 and Old Carrizo Road at approximately **12:30:00 PM** and walked toward the school. He saw law enforcement officers establishing a perimeter, then heard [redacted] call his name. BPA [redacted] did not join the law enforcement officers on the perimeter because [redacted] told him [redacted] was with staff from Robb Elementary School down the street.

He returned to his POV and went to pick up [redacted]. At his vehicle, BPA [redacted] saw BPA [redacted] (CAR), an off-duty BPA, who asked BPA [redacted] for a ride back to his vehicle. At the intersection of South Park Street and West Cargile Street, BPA [redacted] found [redacted] with school staff and dropped off BPA [redacted]. After hearing rumors of another active shooter at other schools, BPA [redacted] went to other schools to pick his other two children. Unable to pick up [redacted] because their schools, Dalton Elementary School and Morales Junior High School, were on lockdown, BPA [redacted] went to the Civic Center and decided to secure the back door while waiting for [redacted] to arrive.

After his wife arrived at the Civic Center, BPA [redacted], [redacted], and [redacted] returned to Dalton Elementary School and Morales Junior High School to pick up [redacted]. After getting [redacted], BPA [redacted] dropped [redacted] off at the Civic Center to assist with students. BPA [redacted] then took [redacted] home.

BPA [redacted] (BRA), interviewed on March 2, 2023. (Exhibit 116)

On May 24, 2022, BPA [redacted] was off-duty [redacted] in Brackettville, Texas, when he received a text message from the Uvalde School District notifying of an active shooter at Robb Elementary School. He also heard people in the grocery store discussing that there was an active shooter, and [redacted] received a text from [redacted] teacher. BPA [redacted] drove toward the

school and arrived at approximately **12:30:00 PM**. There, he recognized another BPA and asked him for information. The other BPA asked for BPA [redacted]'s assistance with traffic control at the intersection of Geraldine Street and Evans Street.

After the breach and reports that the assailant was killed, BPA [redacted] walked toward the Civic Center. Along the way, another BPA recognized him and drove him there, where he was reunited with [redacted]. He received a text from [redacted], who attended the high school, and had [redacted] take him to the high school where he reunited with [redacted]. BPA [redacted]'s [redacted] took him and [redacted] home. He could not identify who was in command and control at any time during the event. BPA [redacted] stated that when an active shooter incident occurs, BPAs are expected to respond with their firearms and body armor.

BPA [redacted] (UVA), interviewed on March 2, 2023. (Exhibit 122)

On May 24, 2022, BPA [redacted] was on light duty assigned to the Sensor Program at UVA when an agent called and informed him there was a shooting somewhere. BPA [redacted] decided to self-deploy to Robb Elementary School to take water to the agents who had responded. He arrived via GOV at approximately **12:30:00 PM** and was requested to assist with crowd control and move people to make room for buses and ambulances in front of the funeral home. He did that for approximately 10 minutes, then provided emotional support as law enforcement officers began exiting the building. After agents were informed there was a possible second shooter, he deployed to the Uvalde Dual Language Academy and performed crowd control.

BPA [redacted] stated there was no sense of command present at Robb Elementary School. He received commands from only the Sheriff's department regarding crowd control. He believed his authority to respond came from being a law enforcement officer and first responder.

BPA [redacted] (UVA), interviewed on March 6, 2023. (Exhibit 137)

On May 24, 2022, BPA [redacted] was driving to UVA in a GOV and heard "shooter" and "school" over his radio. He then began driving toward Uvalde High School because he did not know which school was involved. He called UVA and was informed it was Robb Elementary School, so he decided to respond there and offer assistance. Upon arriving at the school at approximately **12:30:00 PM**, BPA [redacted] decided to assist with the evacuation of children from the school. He observed that no one knew what was going on and there was a "hot mic" situation on the radio. When EMTs arrived at his location, he guided them to the south entrance of the school, then went to his GOV to retrieve a first aid kit to help with what he described as "controlled chaos." He then met PAIC [redacted], who ordered him back to UVA. At UVA, he heard there was a second shooter at another school, so he deployed to Dalton Elementary School and conducted crowd control and vehicle checks. He checked pedestrians with backpacks for weapons.

BPA [redacted] described the scene at Robb Elementary School as full of first responders and felt that most of the information being transmitted over the radio was unnecessary. He did not

perceive any incident command. BPA [redacted] believed that when USBP responds to these types of incidents they are in a supporting role.

BPA [redacted] (UVA), interviewed on March 21, 2023. (Exhibit 204)

On May 24, 2022, BPA [redacted] was assigned to canine training in Del Rio, Texas. After training ended, he got lunch and heard of an active shooter at Robb Elementary School via service radio. He self-deployed to Robb Elementary School in an unmarked USBP K9 truck with emergency equipment activated. He arrived on scene at approximately **12:30:00 PM** and met an unknown BPA who did not know what was going on. BPA [redacted] then spoke with a TXDPS trooper who said to stay near the road because they were waiting for a SWAT unit.

BPA [redacted] asked other USBP personnel where he could help and decided to stay on the perimeter with them. Approximately 20–30 minutes later, he heard gunshots from the breach, then saw people being evacuated. He saw BPA [redacted] approached him, and asked if he was all right, then checked BPA [redacted]'s head and noticed a gash. He told BPA [redacted] he would take him to the hospital. As they went to BPA [redacted]'s vehicle, a different BPA said he would take BPA [redacted] to the hospital, so BPA [redacted] returned to his previous location, then saw other USBP personnel gathering under a tree and joined them. Everyone was instructed to return to UVA for a debrief, so he went there and heard of a possible second threat. He deployed to the Uvalde Classical Academy to provide security during the release of children to their parents. He then deployed to Flores Elementary School and provided security before returning to UVA and going home.

BPA [redacted] explained that USBP often assists state and local law enforcement agencies as first responders. He did not know who was in charge at Robb Elementary School. He stated the radio was chaotic because all law enforcement agencies were on one channel.

BPA [redacted] (UVA), interviewed on February 16, 2023. (Exhibit 90)

On May 24, 2022, BPA [redacted] was coming back from lunch when he saw USBP vehicles with emergency equipment activated leaving the station. He was instructed to load a couple cases of water into his vehicle and head to Robb Elementary School. He proceeded there in a marked USBP vehicle with three other BPAs, arriving between **12:00:00 PM** and **12:30:00 PM**. He attempted to drive to the funeral home, but the roads were blocked. He dropped off the water, then began helping to evacuate children into buses. Never entering the west building, he joined local law enforcement in trying to prevent the public from advancing toward Robb Elementary School and escorted children from the funeral home to buses that were taking the children to the Civic Center. He stayed with a BPA nicknamed "[redacted]," who was crying and distraught, then resumed helping with crowd control and handing water to first responders. He created a path for the children to the buses, shielding the children from view of the nearby onlookers. Upon learning of a secondary threat, he went to pick up [redacted] from Morales Junior High School. He believed USBP's role was to support local law enforcement.

BPA-I [redacted] (DRT SIU), interviewed on March 10, 2023. (Exhibit 163)

On May 24, 2022, BPA-I [redacted] was on duty in plain clothes at the DRT SIU office when another BPA-I informed him of an incident at Robb Elementary School. Shortly afterward, BPA-I [redacted]'s supervisor called him looking for BPA-I [redacted] (DRT SIU). Assuming BPA-I [redacted] was already at Robb Elementary School, BPA-I [redacted] traveled to the school and called BPA-I [redacted] several times with no success.

BPA-I [redacted] parked his GOV a few blocks away from the school, observed a significant law enforcement presence on scene, and walked to the funeral home across the street from the school, arriving at approximately **12:30:00 PM**. There, he assisted with a loose perimeter to keep parents and civilians away from the school. He asked a local law enforcement officer how he could assist, but the law enforcement officer did not know what to do.

BPA-I [redacted] met with other BPAs near the west hallway and was instructed to return to UVA, where they received information indicating there was another threat. BPA-I [redacted] responded to the Uvalde High School and stood perimeter for approximately two hours, then returned to DRT to finish his regularly scheduled shift. He went home at **10:00:00 PM**. BPA-I [redacted] stated the situation was initially described as a bailout where the subject ran into the school and became a barricaded subject. BPA-I [redacted] was never able to identify anyone in command or an established command post. He believed he had a responsibility as a BPA to respond.

BPA-P [redacted] (DRT), interviewed on February 9, 2023. (Exhibit 55)

On May 24, 2022, BPA-P [redacted] was the Less-Lethal Coordinating Officer at DRT, conducting observations of DRT's firearms and less-lethal training programs at BRA. He crossed paths with an unknown BPA who advised him that there had been an incident in Uvalde. BPA-P [redacted] was not directed to respond, but was with other SBPAs who decided to respond, and they proceeded to Uvalde as fast as they could when there was no traffic. Upon his arrival at Robb Elementary School at approximately **12:30:00 PM**, BPA-P [redacted] had to park several hundred yards away on Geraldine Street because the streets were clogged with emergency vehicles that were parked and blocking the way to the school.

BPA-P [redacted] attempted to find the drivers of the law enforcement vehicles that were blocking Geraldine Street to clear a path for EMS vehicles. To limit the vehicle congestion near the school, BPA-P [redacted] set up traffic control on Geraldine Street and Evans Street, along with a UPD officer and a UCISDPD police officer. After working at the traffic control point on Geraldine Street and Evans Street, BPA-P [redacted] traveled with SBPA [redacted] (DRT) to Uvalde Memorial Hospital to assist with crowd control for a short time, then went to UVA to provide Peer Support services for approximately five hours. Based on his observations of the scene around Robb Elementary School, BPA-P [redacted] described the incident as chaotic and felt that the law enforcement officers in the area lacked a sense of urgency. He noticed no gunfire, calls for help, or anyone providing directions via megaphone. BPA-P [redacted] stated he believed all law enforcement officers, including USBP agents, have an obligation to respond to incidents such as the one at Robb Elementary School with reasonable and necessary force to protect life.

Assistant Special Agent in Charge (ASAC) [redacted] (OPR Del Rio), interviewed on February 28, 2023. (Exhibit 104)

On May 24, 2022, ASAC [redacted] was teleworking at home in Uvalde when he received a phone call from SA [redacted] advising that BPAs were enroute to an Uvalde school to respond to reports of a man with a firearm. ASAC [redacted] called Sheriff Nolasco, who advised there was a barricaded subject at Robb Elementary School in Uvalde and that BORTAC was responding. ASAC [redacted] dressed in CBP tan pants and black polo shirt, gathered his handgun, rifle, and ballistic armor, and went to Robb Elementary School. He arrived at Robb Elementary School between **12:30:00 PM** and **12:35:00 PM**, approximately 15–20 minutes before the classroom was breached and the assailant was shot. He parked at a distance and walked toward the school because the streets were blocked with law enforcement vehicles. He instructed drivers to move out of the way to allow room for an ambulance. He went to the school entrance on the west side, where he spoke to FBI Special Agent [redacted], who did not know anything about what was going on. ASAC [redacted] was not able to enter the west building at the school because it was so full of other people. An unknown TXDPS CID SA operating a TXDPS drone reported that the assailant escaped, so ASAC [redacted] and others began to form a perimeter around the school. Then someone announced the assailant was down.

ASAC [redacted] attempted to locate the incident command post, then received information concerning another threat. He sent OPR Special Agents to other Uvalde area schools to assist with security and evacuations while he continued working at the funeral home, providing updates to OPR headquarters, coordinating activity, and disseminating information. He remained at the funeral home until early morning the next day and continued working in Uvalde for the next several weeks gathering information and assisting Texas Rangers and other law enforcement agencies. While working at the funeral home following the incident, ASAC [redacted] learned that UPD attempted to establish an incident command post at the funeral home at the onset of the incident, but other law enforcement agencies responded directly to the school instead, so UPD's efforts were abandoned. Although he was immediately outside the west door of the west building at approximately **12:30:00 PM**, ASAC [redacted] did not know who was in charge and did not observe any senior law enforcement leaders giving orders to other first responders. ASAC [redacted] stated USBP had authority to respond to assist other law enforcement agencies.

AIA [redacted] (AMO Del Rio), interviewed on June 1, 2023. (Exhibit 218)

On May 24, 2022, AIA [redacted] was on day shift patrol in the Carrizo Springs area assisting USBP with tracking a group of suspected migrants when he heard a dispatch operator state over the service radio that there was a shootout near a school in Uvalde and assistance from agents was needed. AIA [redacted] landed the helicopter so AIA [redacted] could board and refueled at CAR before responding to Uvalde. His supervisor informed him to go to Del Rio to pick up AEA [redacted], but AIA [redacted] advised his supervisor it would take too long to fly to Del Rio, and he was responding straight to Robb Elementary School.

AIA [redacted] orbited Robb Elementary School beginning at approximately **12:40:00 PM** at approximately 300 feet while communicating with a TXDPS air unit to coordinate each aircraft's

altitude. He then went to CBP Uvalde Air Branch to free up air space for emergency medical service air units. After becoming aware of a secondary threat via social media, he refueled and began orbiting schools throughout Uvalde to provide overwatch for deployed agents and officers.

AIA [redacted] stated that initially it sounded like the incident was at or near, but outside, a school, then radio traffic led him to believe it was taking place in the school. He did not hear if it was classified as active shooter or barricaded subject. He stated that radio communications were a mess and the patched radio frequency sounded chaotic. AIA [redacted] stated AMO's role was to assist upon any lawful request for assistance, provide information, conduct overwatch, and assist with locating individuals. He stated that whichever law enforcement agency was first on scene was in charge, but it did not appear that any law enforcement agency was in charge.

AEA [redacted] (AMO Del Rio), interviewed on June 2, 2023. (Exhibit 219)

On May 24, 2022, AEA [redacted] was on temporary duty to the air unit in Del Rio, Texas. Another AEA received and relayed a call from DRT communications dispatch regarding a barricaded subject by a school.[191] As an aircrew rifleman (ACR), AEA [redacted] was trained to shoot from helicopters flown by ACR-qualified pilots. However, the only ACR-qualified pilot was AIA [redacted], who was flying near Carrizo Springs, Texas. To save time, AIA [redacted] offered to fly AEA [redacted] to Uvalde to meet up with AIA [redacted] and fly to Robb Elementary School. He arrived in the air at Robb Elementary School at approximately **12:40:00 PM**.

AEA [redacted] coordinated altitude with a state police helicopter. He concentrated on an open window with a tree next to it but could not see in because it was dark in the classroom. He told the pilot and other crew member that something was not right with the situation. Upon hearing a second threat called out, AMO aircraft ran patterns on multiple schools until notified to return.

AEA [redacted] understood law enforcement was dealing with an active shooter. He could not determine who was in command and control of the scene because there were so many agencies and communication among them was always an issue. AEA [redacted] explained that the first person who arrived at an active shooter scene was in command and control and that CBP's role was to respond and help. He mentioned that sometimes CBP was the closest agency to respond and might be the first agency to arrive.

AEA [redacted] (AMO Del Rio), interviewed on May 23, 2023. (Exhibit 216)

On May 24, 2022, AEA [redacted] was on day shift assigned routine patrol duties in a helicopter assisting USBP agents in the Carrizo Springs area when AIA [redacted] advised him over service radio that he had received a call for assistance regarding shots fired. AEA [redacted] went to CAR to refuel, then traveled to a big open field in Uvalde and waited to get an AMO Air Crew Rifle program rifleman. He coordinated with TXDPS aircraft to ensure aircraft deconfliction,

[191] OPR interview of AEA [redacted], June 2, 2023, timestamp 00:11:52.

then arrived in the air at Robb Elementary School at approximately **12:40:00 PM** and started an orbit pattern.

AEA [redacted] stated USBP's role was to respond as a support agency, and he believed state and local law enforcement would maintain command of a school shooting incident. He did not observe any medical triage or command center for medical aid.

SBPA [redacted] (UVA), interviewed on February 16, 2023. (Exhibit 84)

On May 24, 2022, SBPA [redacted] was working brush crew at a ranch when he heard an unclear radio transmission to be on the lookout for "a guy carrying a gun." Later, there was a report that someone went to a school with a gun. SBPA [redacted] directed all brush crew team members back to their vehicles and they fell in behind TXDPS with lights and sirens heading toward Uvalde. They arrived near Robb Elementary School at approximately **1:00:00 PM** but were unable to get close or out of their vehicles because there were so many other law enforcement personnel and vehicles blocking the streets. SBPA [redacted] then deployed his team to the Civic Center, where they arrived as the first law enforcement presence. They blocked driveway entrances with GOVs and established perimeter security. SBPA [redacted] kept the road clear for buses, helped escort students into the Civic Center, and directed parents to find school officials to help reunite them with their children. His goal was to get students off the buses and safely into the Civic Center. SBPA [redacted] stated USBP's general goal in Uvalde was to keep the public safe and assist the Uvalde Police Department. When the situation escalated to an active shooter, SBPA [redacted] believed USBP's role was to stop the killing.

CBP PERSONNEL WHO ARRIVED POST-BREACH OR WERE DIVERTED ELSEWHERE

Many CBP personnel who responded to Robb Elementary School, some driving distances in excess of 70 miles to respond, either arrived at the school after **12:50:00 PM** or were diverted enroute to other necessary locations, including other Uvalde-area schools, the Civic Center, or the Uvalde Memorial Hospital. The following is a summary of the interviews provided by these employees:

BPA [redacted] (BRA), interviewed on February 7, 2023. (Exhibit 40)

On May 24, 2022, BPA [redacted] was working with the BRA brush crew at a remote location near Spofford, Texas, when the helicopter pilot they were working with announced he was leaving to respond to a school shooting in Uvalde. Approximately 30–45 minutes later, SBPA [redacted] (BRA) notified BPA [redacted]'s group to respond to the Civic Center. They arrived at the Civic Center at approximately **12:00:00 PM**, and BPA [redacted] directed children inside the Civic Center so the school district could account for them. He provided security, directed vehicles arriving at the Civic Center, announced that parents needed to sign out their children inside, and attempted to obtain additional information about a potential second threat. BPA [redacted] believed it was his duty to respond and protect the lives of the public.

BPA [redacted] (BRA), interviewed on February 7, 2023. (Exhibit 38)

On May 24, 2022, BPA [redacted] serving as a Field Training Officer, was tracking a group of individuals who illegally entered the United States, when he heard about the incident at Robb Elementary School from the helicopter pilot who was providing air support for the tracking operation. BPA [redacted]'s supervisor contacted him and directed him and his three trainees to respond to the Civic Center. He drove to Uvalde with his emergency lights activated, activating the sirens when he approached traffic. BPA [redacted] arrived at the Civic Center at approximately **12:00:00 PM**. He parked at the Civic Center and assisted with safeguarding children as they entered the building. He provided perimeter security at the Civic Center after hearing that the girlfriend of the assailant was a potential threat. BPA [redacted] stated there was no USBP command and control at the Civic Center; rather, USBP was there as a support agency to support the city and the state.

AIA [redacted] (AMO Del Rio), interviewed on May 23, 2023. (Exhibit 217)

On May 24, 2022, a supervisor informed AIA [redacted] of a subject who may have shot a police officer and was possibly barricaded in a house. AIA [redacted] prepped an AMO helicopter to transport AEA [redacted] (AMO Del Rio) to Uvalde and launched within two minutes. While enroute, AIA [redacted] heard via service radio that there was an active shooter at a school. He flew to Uvalde, arrived at the Uvalde Fairgrounds at approximately **12:35:00 PM**, and remained on standby in case AIA [redacted] ran out of fuel.

AIA [redacted] stated that USBP's role, pursuant to active shooter training, was to address the assailant as quickly as possible. He believed local law enforcement would have command and control in a multi-agency situation such as this.

BPA [redacted] (BRA), interviewed on February 7, 2023. (Exhibit 36)

On May 24, 2022, BPA [redacted] was at BRA working on a detail near [redacted], Texas, around **12:00:00 PM** when he received a message that went to the whole unit directing everyone to report to Uvalde regarding a school shooting. BPA [redacted] drove alone in a government-owned vehicle (GOV) using lights and sirens. While enroute, he received information to report directly to the Civic Center. He arrived there at approximately **12:45:00 PM** and explained to parents that their children had to first go inside before being released. He assisted with two to three busloads of teachers and students by creating a lane that allowed a clear pathway for people to walk from the bus to the Civic Center. He helped hand out water bottles to parents. After all the children and parents departed, he repositioned and set up a perimeter to field questions from the public regarding voting at the Civic Center. BPA [redacted] stated USBP appeared to have command and control of the area immediately outside the Civic Center because they were the only agency with enough personnel there to assist.

BPA [redacted] (UVA), interviewed on March 13, 2023. (Exhibit 169)

On May 24, 2022, BPA [redacted] was a juvenile coordinator at UVA for the Mission Support Unit when he heard radio or dispatch information about a shooting at Robb Elementary School. BPA [redacted] and his team stayed at UVA processing juveniles until all remaining agents were ordered to bring water to the school for the law enforcement officers. Then he traveled to Robb Elementary School, arriving at approximately **12:50:00 PM**, and parked two blocks from the school. He recorded part of the scene with his personal cell phone and provided the recording to OPR.

BPA [redacted] approached the west entrance of the school and entered the school wearing gloves to assist, but exited after all non-emergency medical personnel were directed to leave. After a muster at the school, he was ordered to return to UVA for a briefing but told his supervisor he had to go home due to what he had witnessed. BPA [redacted] stated that the scene looked like a Hollywood movie with all the lights and chaos. He indicated local law enforcement had control of the streets surrounding the school.

SBPA [redacted] (BRA), interviewed on March 8, 2023. (Exhibit 148)

On May 24, 2022, SBPA [redacted] heard a CBP air unit in the area advise over the radio of a school shooting. SBPA [redacted] called the duty SBPA to get more information, then notified WC [redacted] at BRA of the situation. SBPA [redacted] contacted UVA to ask if they needed BPA EMTs and informed the BPA who answered that BRA would send available EMTs. SBPA [redacted] dispatched four BPAs who responded, along with two trainees, then obtained his own gear, including an M4 rifle, and departed for Robb Elementary School in a marked USBP GOV with lights and sirens activated.

He arrived at Robb Elementary School at approximately **12:50:00 PM** and looked for a command post, but no one knew where it was; later he learned it was at the funeral home. As he approached the funeral home, a local law enforcement officer asked him to assist with keeping approximately 30–50 irate parents back from the funeral home. SBPA [redacted] instructed the BPA EMTs to assist the EMTs at the school and instructed a BPA trainee to stay and assist in the funeral home area. SBPA [redacted] saw BORTAC BPAs running toward the school and heard via service radio that the assailant was down. SBPA [redacted] sent a text to PAIC [redacted] informing him that the assailant was down, then made a path for children to be taken from the school to a school bus while keeping the parents away.

After getting the children onto the bus, he went to a building on the east side of the school to assist with evacuating children, then checked in with his personnel to make sure they were okay and instructed them to meet at UVA for a briefing. SBPA [redacted] learned of a possible second threat, heard conflicting information, and figured out it was incorrect information. He then went to UVA for the briefing and stayed there for about an hour. SBPA [redacted] heard someone refer to the assailant as a barricaded subject and stated that if a felony was committed, USBP could act upon it. He stated USBP had a responsibility to respond in a support role.

BPA [redacted] (USBP Gulfport Station, Mississippi), interviewed on March 22, 2023. (Exhibit 212)

On May 24, 2022, BPA [redacted] was at DRT conducting firearms qualifications at the DRT range when he learned of the Robb Elementary School incident from SBPA [redacted] over the phone. BPA [redacted] responded to Uvalde with other BPAs. While enroute, he heard a radio transmission that the assailant was killed. He arrived near Robb Elementary School at approximately **12:50:00 PM**, parked in a neighborhood, and walked toward the school. There, he assisted with perimeter security for approximately one hour, then reported to UVA for a debriefing.

At UVA, he learned of a second threat made on social media, so he responded to Uvalde High School to assist with perimeter security, then responded to a middle school to assist with the release of students to their parents.

BPA [redacted] believed the incident was a barricaded subject based on hearing that a hostage negotiator had been contacted. He believed TXDPS had control of the scene and did not know of anyone from USBP who was in charge. BPA [redacted] stated that USBP had an obligation to respond as a law enforcement agency.

PAIC [redacted] (BRA), interviewed on March 2, 2023. (Exhibit 119)

On May 24, 2022, PAIC [redacted] was driving back to BRA after assisting a BPA with smugglers and undocumented migrants when he heard radio communications on the Uvalde radio channel that someone was shooting through windows. PAIC [redacted] called BRA and inquired about the shooting. (A)Assistant Chief Patrol Agent (ACPA) [redacted] was not aware, so PAIC [redacted] told him to inquire and send necessary resources to Uvalde. Upon receiving later text messages concerning the active shooter in Uvalde and that all required resources were at the location, PAIC [redacted] advised (A)ACPA [redacted] or SBPA [redacted] that BRA BPAs did not need to respond. Later, PAIC [redacted] directed SBPA [redacted] to respond to the incident command post and relay information to BRA and assist.

PAIC [redacted] returned to BRA and retrieved a rifle and other equipment, then self-deployed to Uvalde, driving with emergency equipment activated. He spoke with BPAs at the Uvalde Checkpoint and requested BRA to send BPAs to the Uvalde Checkpoint. While at the checkpoint, he received a text message from SBPA [redacted] stating that the assailant was shot. He followed TXDPS troopers into Uvalde and arrived near Robb Elementary School approximately between **12:50:00 PM** and **1:00:00 PM**. He parked three to four blocks away, gathered his equipment, and went toward the school. He attempted to locate BRA BPAs and determine how he could assist.

He approached the west entrance of Robb Elementary School, where he saw several Brackettville BPAs who were distraught. PAIC [redacted] asked SBPA [redacted] if information that students were still in some of the classrooms in the other buildings had been relayed to anyone, but SBPA [redacted] did not know. PAIC [redacted] then followed a group of law enforcement officers toward the older section of the school, which they discovered had not been cleared. He

then entered a classroom with two uniformed officers and escorted a student who was sleeping on the floor to his teacher. PAIC [redacted] told SBPA [redacted] to remain at the school and advise any arriving BPAs that they should go to UVA or return to their station.

PAIC [redacted] then returned to his vehicle. Upon hearing radio communications that shots were fired at Uvalde High School, he went there approximately between **2:15:00 PM** and **2:30:00 PM**. He parked across the street from the high school and texted USBP management to let them know he was there and would not be at the UVA meeting. He assisted with moving traffic in and out of the high school so that students could be reunited with their families. He remained there providing security until all students were released and the faculty departed.

He departed the high school approximately between **6:00:00 PM** and **7:00:00 PM** and went to UVA and ate dinner there. He then went to the Civic Center looking for BPA [redacted], who had been looking for his [redacted] At the Civic Center, PAIC [redacted] encountered SBPA [redacted], whose family friend was a teacher killed at the school. PAIC [redacted] spoke with and consoled SBPA [redacted], then returned to BRA and went home.

PAIC [redacted] believed the situation in Uvalde was an active shooter. He did not know who was in command and did not know who had overarching command. He identified that USBP is responsible to respond and protect the public along with other law enforcement agencies.

BPA [redacted] (EGS), interviewed on February 8, 2023. (Exhibit 42)

On May 24, 2022, BPA [redacted] was assisting other BPAs along U.S. Highway 57 when he received a phone call at approximately **12:20:00 PM** from SBPA [redacted] (EGS) stating to respond to Uvalde because of an active shooter situation. BPA [redacted] retrieved his gear from the checkpoint and departed to Uvalde at approximately **12:35:00 PM**. He drove to the funeral home across the street from Robb Elementary School and arrived approximately between **12:50:00 PM** and **1:45:00 PM**. There, SBPA [redacted] advised him that he was to go to the Uvalde Border Patrol Station to muster. After arriving at UVA, he received a message about a possible second shooter and returned to Robb Elementary School, where he was directed to go to Flores Elementary School. He assisted at Flores Elementary School for approximately two hours by directing traffic and directing parents to the doors where children were located until the school was cleared. He then returned to the command post at Robb Elementary School, where it was determined that he was no longer needed. He then drove back to EGS. BPA [redacted] stated that as an EMT and first responder, it is his responsibility to assist when needed, with the approval of his supervisor.

SBPA [redacted] (CAR), interviewed on March 8, 2023. (Exhibit 146)

On May 24, 2022, SBPA [redacted] was the administrative supervisor over the Field Training Program. He received information over the service radio that USBP dispatch had requested a CBP helicopter to respond to Uvalde for a shooting at a school. SBPA [redacted] informed PAIC [redacted] and asked for approval to respond to Robb Elementary School. PAIC [redacted] instructed SBPA [redacted] not to go to Uvalde.

Approximately 50 minutes after learning of the incident, SBPA [redacted] received a phone call instructing EMTs to respond. He gathered his gear and drove with another BPA in his medical vehicle. While enroute, SBPA [redacted] suggested that SBPA [redacted] should proceed to the west side of the school. He arrived at Robb Elementary School at approximately **12:55:00 PM** and parked in front of a house on the corner of Geraldine Street and Nicolas Street, then ran toward the west side of the school with his medical bag. He made contact with the personnel on site to ascertain what was needed, but there was no communication taking place and even the EMS personnel were unsure about the status of the situation. He met with other USBP personnel by a tree near the front of the school, then departed Robb Elementary School and reported to UVA.

From UVA, he went to the Civic Center based on information related to a second threat, then transitioned to assisting at nearby schools. First, he assisted at the Uvalde Dual Language Academy, then Sacred Heart Catholic School, then Uvalde Classical Academy. He assisted with the release of students to their parents for approximately one hour, then went back to the Civic Center, then back to CAR.

SBPA [redacted] observed that information over the radio was hard to decipher and was unclear as to what the status of the situation was and if there was still an active shooter. He heard discussion that the assailant was barricaded somewhere. He observed civilians and law enforcement officers everywhere but could not find anyone who knew what was going on or where anything was located. He stated USBP's role was as a law enforcement entity helping in the best interest of the community to stop the killing and save children and people. He believed USBP had authority to respond because it was a significant incident and a felony.

SBPA [redacted] did not know who was in command and control of USBP. He heard the funeral home was supposed to be a command center, but when he passed it, it did not look like a command center; it looked like a parking lot. He never saw anything that looked like a command post and never saw anyone who looked or acted like they were in charge. He did not know who was in charge of medical triage and coordination either pre- or post-breach or where they were staged.

CBPO [redacted] (Del Rio, Texas Port of Entry), interviewed on February 13, 2023. (Exhibit 67)

On May 24, 2022, CBPO [redacted] was on a plain clothes assignment to a DEA task force in Del Rio, Texas, working on an operation in Eagle Pass, Texas, when a member of the task force notified her of an active shooter at Robb Elementary School. Other DEA task force members were responding, so CBPO [redacted] drove to Uvalde in an unmarked GOV with lights activated. While enroute, she heard over her service radio that the assailant was down. She arrived at Robb Elementary School approximately between **12:50:00 PM** and **12:55:00 PM** and stood outside the gate to assist with crowd control and keeping order. She went to the funeral home, where all DEA personnel were directed to respond to the hospital to provide crowd control assistance for two to three hours. After providing security and crowd control at the hospital, she returned to a street near Robb Elementary School for a briefing with other DEA agents, then drove back to Del Rio. CBPO [redacted] had no direct knowledge of USBP's role other than as first responders.

BPA [redacted] (DRT), interviewed on March 2, 2023. (Exhibit 117)

On May 24, 2022, BPA [redacted] was driving to lunch when multiple vehicles passed him with their emergency lights activated. He received a text from his sister on his personal phone asking if he had heard about a shooting in Uvalde and another text from her stating that the shooting had occurred at a school. BPA [redacted] returned to his office and asked if anyone had heard about a school shooting. No one had, so he called ACPA [redacted] at DRT to inquire about the shooting. ACPA [redacted] had not heard, but a few minutes later came to BPA [redacted]'s office and told him to grab his stuff and go with him to Uvalde.

They drove to Uvalde with lights and sirens activated while following two TXDPS units. Approximately 10 minutes before they arrived, BPA [redacted] received a text stating "they" got the assailant. BPA [redacted] arrived at Robb Elementary School approximately between **12:55:00 PM** and **1:00:00 PM**, parked about two blocks from the school, and approached the school on foot. BPA [redacted] comforted a BPA near the school building and brought him to the funeral home.

While at the funeral home, BPA [redacted] heard TXDPS troopers say there was a threat of another shooter at the middle school or high school, so he relocated to the Uvalde High School. He set up on the east side of the high school in the parking lot in an observation role. He directed traffic and parents where to go for approximately 30 minutes before being informed that a nearby Catholic school needed security, so he relocated there and provided security until all students were released to their parents. He returned to the high school and set up in an observation role in the field behind the high school and stayed there for about 30 minutes until all students were evacuated. He then received a text or email instructing all BPAs to return to UVA, so he went there for about 30 minutes, then returned to DRT.

BPA [redacted] observed that the scene did not appear chaotic but there was a lot of stuff going on. He did not know who was in command at the scene or who was running the command center. He did not know who was in charge at the high school. He observed everyone was taking positions on their own and relaying their positions on the radio. At the Catholic school, he identified six BPAs and understood that ACPA [redacted] was in command; this was the only time he understood who was in command.

ACPA [redacted] (DRT), interviewed on February 28, 2023. (Exhibit 98)

On May 24, 2022, ACPA [redacted]'s supervisor, Executive Officer (XO) [redacted], told him there was a shooting at Robb Elementary School and that if he wanted to go, he could. ACPA [redacted] perceived the statement as an order, so he drove with BPA [redacted] in an unmarked GOV from DRT to Uvalde. While driving, ACPA [redacted] called [redacted] (BPA [redacted]) and instructed him to report to UVA while BPA [redacted] attempted to gather information via the service radio. Because of communications issues, they only picked up partial information. They received information that the assailant had been stopped and that there were mass casualties. ACPA [redacted] followed a TXDPS trooper from Del Rio to Uvalde.

When he arrived at Robb Elementary School approximately between **12:55:00 PM** and **1:00:00 PM**, the shooting was already over. He parked approximately four blocks away and proceeded to the school on foot. He walked past the assailant's vehicle that had crashed in the ditch and observed that the school was roped off with police tape. PAIC [redacted] informed ACPA [redacted] that USBP was being instructed to stand by and that USBP agents might be needed at another location.

ACPA [redacted] observed that most of the radio traffic he heard while enroute to Uvalde was BPAs relaying their positions and asking if assistance was needed. He received information that the assailant's girlfriend had threatened to shoot up another school, so he and BPA [redacted] went to a middle school to provide security for approximately one hour. He observed it was chaotic at the middle school, but nothing of note happened. While at the middle school, unknown law enforcement personnel asked them to assist with reuniting children with their parents at Robb Elementary School. By the time he arrived, numerous BPAs and TXDPS troopers were already assisting, so he just observed. Another unknown law enforcement officer mentioned that assistance was needed at a local Catholic school, so he went there, but several other LEOs were already there and only two students were left. He left the Catholic school after 20–30 minutes and went to UVA, then departed UVA to drive back to DRT at **6:00:00 PM**.

ACPA [redacted] stated that by the time he arrived at Robb Elementary School, the shooting had concluded, so he was there in a support role. He did not perceive that anybody was in charge and attempted to find an incident commander with no luck. He observed that everyone on scene looked like they were attempting to help in some way, but there were no directions being given. He perceived the local police were in charge of the scene at Robb Elementary School and believed that BPAs were on scene only to assist local law enforcement officers. He felt it was his duty as a public servant and as a BPA to help where he could but was not aware of any specific authority that mandated BPAs to respond to these types of incidents. He felt he did not play a big part in the response and wished he could have contributed more.

BPA [redacted] (DRT), interviewed on February 14, 2023. (Exhibit 72)

On May 24, 2022, BPA [redacted] was an acting supervisor ((A)SBPA) at EGS and was working with SBPA [redacted] when SBPA [redacted] received a phone call regarding a shooting that had occurred in Uvalde. (A)SBPA [redacted] rode with SBPA [redacted] to Uvalde in an unmarked GOV. They drove as close as they could to Robb Elementary School, arriving between **12:55:00 PM** and **1:05:00 PM**, but had to park and walk approximately two blocks because there were so many law enforcement vehicles everywhere. They walked to the funeral home, where an unknown law enforcement officer requested their help forming a perimeter to keep parents back. (A)SBPA [redacted] directed parents to pick up their children at the Civic Center, then spoke with another BPA before driving to the formal muster at UVA. He then drove to another school (Flores Elementary School or Morales Junior High School) after hearing a radio communication advising of another possible shooting and provided perimeter security for approximately one hour. BPA [redacted] indicated he responded to provide support and that USBP was there to provide assistance to other agencies.

BPA [redacted] (UVA), interviewed on February 17, 2023. (Exhibit 89)

On May 24, 2022, BPA [redacted] was at UVA assigned to brush duty, working in uniform on a ranch south of Uvalde with several other BPAs, when SBPA [redacted] received a phone call regarding the shooting at Robb Elementary School and informed the BPAs, directing them to respond to the school. They traveled in multiple vehicles with emergency lights and sirens activated and arrived at the Civic Center at approximately **1:00:00 PM**. There, they helped unload children from buses and provided security. BPA [redacted] cleared a pathway for buses to approach the Civic Center and provided water to parents. He believed the purpose of his response was to provide whatever assistance was necessary.

BPA [redacted] (UVA), interviewed on March 22, 2023. (Exhibit 210)

On May 24, 2022, BPA [redacted] was working with the brush crew at [redacted] when they heard about the incident at Robb Elementary School via radio communication. The brush crew decided they were going to respond and drove toward Uvalde in a USBP vehicle with lights and sirens activated. While enroute, they received direction to respond to the Civic Center.

They parked in an alley at the back of the Civic Center at approximately **1:00:00 PM**, entered the Civic Center, and provided security near the rear door. After hearing about a potential second threat, BPA [redacted] relocated to the exterior of the Civic Center and conducted perimeter security. After being notified to discontinue perimeter security, he drove to UVA, turned in his vehicle and keys, and drove his personal vehicle to Dalton Elementary School where [redacted] worked. He remained there until [redacted] was cleared to leave the school.

BPA [redacted] was unable to identify the person in charge at the Civic Center and did not see anyone giving orders to the law enforcement officers there. He stated USBP's authority to respond was to stop the threat and render aid as soon as possible by nature of their status as first responders and law enforcement officers. He stated USBP would assist other law enforcement agencies.

DCPA [redacted] (DRT), interviewed on March 17, 2023. (Exhibit 190)

On May 24, 2022, DCPA [redacted] was the Acting DCPA ((A)DCPA) for DRT when PAIC [redacted] and SOS [redacted] informed him there was an active shooter at an elementary school in Uvalde. (A)DCPA [redacted] informed CPA Owens of the situation and that he was deploying to the scene. He directed SOS [redacted] to bring M4 rifles, then drove to Uvalde with three other agents. After receiving reports of 911 calls indicating there could be at least nine victims, he activated the emergency lights and sirens on the vehicle to get to the scene as fast as possible. (A)DCPA [redacted] instructed PAIC [redacted] to order all EMTs within driving distance to deploy to the vicinity of the school. He also instructed the DRT Training and Traumatic Incident Management branch to have Peer Support and Chaplain resources on standby.

DCPA [redacted] arrived at Robb Elementary School at approximately **1:00:00 PM**. Around the school, vehicles were blocking the road, so he had to park at the funeral home across from the

school. After a radio transmission announced the subject was down, he proceeded toward the school with his medical bag. (A)DCPA [redacted] entered the school through the west entrance and asked how he could assist as a former EMT. (A)DCPA [redacted] questioned people who were standing around why they were not helping. He instructed the BPAs to gather under the tree in front of the school and informed them if anyone was looking for a family member at the school, they should go find them. After CPA Owens instructed all BPAs to meet at UVA, (A)DCPA [redacted] requested clean uniforms be gathered at UVA so the BPAs could change clothes. He assisted with loading children from inside the funeral home onto a school bus, but the situation became increasingly tense with rumors among upset parents.

(A)DCPA [redacted] and the agents he arrived with departed the area and went to UVA. TXDPS Rangers arrived at UVA, and DCPA [redacted] helped them set up to interview BORTAC and BORSTAR members who had been involved. He returned to DRT to handle reporting, notifications, and other administrative matters.

Because of the distance from DRT to Uvalde, (A)DCPA [redacted] expected the incident to be over by the time he arrived and believed he would likely assume an incident command role. He assumed the local police department and TXDPS would have control of the situation and would provide instructions of where to respond, but never confirmed who was in charge. Although radio communications were inconsistent and there was a "hot mic," the information indicated that they were responding to an active shooter scenario. Moments later, he began hearing that the assailant was a barricaded subject. In types of incidents where USBP does not have jurisdiction, DCPA [redacted] identified that USBP responds in a support role. He stated USBP should have been taking direction from another agency such as TXDPS or the local police department, and the fact that USBP had to take charge of the situation was not normal. He observed that "every law enforcement agency was onsite, and it was very chaotic." He stated that USBP had a duty to act and an obligation to respond when there was a commission of a felony in their presence, especially if it involved loss of life.

BPA [redacted] (UVA), interviewed on March 2, 2023. (Exhibit 115)

On May 24, 2022, BPA [redacted] was assigned to the brush crew working at the [redacted] with other BPAs when he was informed that there was a shooting at Robb Elementary School and they were ordered to respond. The BPAs departed toward Robb Elementary School in four different USBP-marked vehicles. While enroute, they heard radio communications stating that the assailant was down. They heard a request for assistance at the Civic Center, so they redirected there, arriving at approximately **1:00:00 PM**. There, they were asked to clear a path for the buses, set up a perimeter, and provide security for children and parents until relieved by the swing shift around **5:00:00 PM**. BPA [redacted] returned to UVA and put his equipment away. While there, he attempted to console BPA [redacted]. BPA [redacted] believed that SBPA [redacted] was in command and control at the Civic Center as the first SBPA to arrive.

PAIC [redacted] (COM), interviewed on March 3, 2023. (Exhibit 130)

On May 24, 2022, PAIC [redacted] was the Assistant Chief Patrol Agent (ACPA) over the Professional Standards Branch at USBP DRT. He was working in his office when he learned from SOS [redacted] of an incident at a school in Uvalde. ACPA [redacted] met with (A)DCPA [redacted] and ACPA [redacted] and agreed they should go to Uvalde. He rode in an unmarked GOV and learned via service radio that a significant law enforcement response was occurring. He handled communications for (A)DCPA [redacted] while (A)DCPA [redacted] drove with emergency equipment activated. ACPA [redacted] maintained communications with PAIC [redacted] and learned that BORSTAR and BORTAC had been sent to the scene.

Approximately 5–10 miles before entering Uvalde, they the heard an announcement that the assailant was down. Upon arriving at Robb Elementary School at approximately **1:00:00 PM**, they parked on the north side of the funeral home. They gathered their medical bags and walked toward the school after being unable to identify any incident command at the funeral home. They entered the school and walked eastbound down the hallway looking for things to do but learned they were not needed for medical assistance or clearing classrooms. They exited through the west door and asked all BPAs not actively engaged in something to meet on the north side of the building near the large tree.

ACPA [redacted] worked with support staff at DRT to have extra uniforms gathered for BPAs who had blood-stained uniforms. An unknown law enforcement officer asked for his assistance providing security for children who were loading onto buses going to the Civic Center for about 10 minutes. Then he drove to UVA, where he fielded phone calls and emails regarding the situation and helped BPAs exchange bloody uniforms for clean ones. After going home, he received a call from PAIC [redacted] regarding guidance for the process of asking the eight officer safety questions to involved law enforcement officers following a deadly force incident, in accordance with CBP policy.

ACPA [redacted] may have given the order that the bloody uniforms could be thrown away a few days later. He stated he could not identify if the situation was ever an active shooter versus a barricaded subject. He did not observe anyone in command and control of the situation at Robb Elementary School. He believed PAIC [redacted] to be in command with the most information, but upon entering the scene there was no one in command and no incident command post was identified. ACPA [redacted] stated that BPAs and other law enforcement officers have a mandate to provide public safety and protect the innocent.

BPA [redacted] (CAR), interviewed on February 28, 2023. (Exhibit 95)

On May 24, 2022, BPA [redacted] was the Sector Medical Coordinator at DRT coordinating EMT certification classes. He had checked in on the class when another instructor advised him that there was an active shooter in Uvalde. BPA [redacted] went to the SOD team house to try to get more information and was advised not to respond so as not to flood the scene. Later he received a phone call from SBPA [redacted] instructing him to head to Uvalde. BPA [redacted] stopped at the medical supply warehouse and loaded an unmarked GOV with medical supplies. He sent a text

from his personal phone to SBPAs [redacted] and [redacted] informing them that he was enroute with medical supplies, then drove to Uvalde, departing at approximately **12:15:00 PM**. He went directly to the Uvalde Memorial Hospital to provide aid, arriving there at approximately **1:00:00 PM**. BPA [redacted] requested the assistance of other law enforcement officers who were standing around at the hospital to unload medical supplies from the GOV into the emergency room and informed the hospital staff to use them, if needed.

BPA [redacted] then went to check on the status of an injured BPA but did not find him. He asked hospital personnel where he could help. They said to set up outside the emergency room to conduct initial triage, which he did. There, he overheard law enforcement officers talking about a possible second shooter and decided he would be better utilized at a school, so he left the hospital after confirming with hospital staff that he was not needed.

BPA [redacted] went to Dalton Elementary School, entered the grounds, and met with BORSTAR agents. He requested a reporter who was attempting to film the children to move farther away from the school and outside the perimeter, which she did. BPA [redacted] decided to meet with the school principal and staff to coordinate the reuniting of students with parents and assisted with the release of students until around **7:00:00 PM**, then went home.

SBPA [redacted] (CBP LESC), interviewed on February 15, 2023. (Exhibit 77)

On May 24, 2022, SBPA [redacted] was on detail conducting use of force training assessments at USBP Del Rio Sector for the CBP LESC, observing use of force training at BRA. Around lunchtime, he heard there was an active shooter in Uvalde and decided to respond. SBPA [redacted] and other SBPAs drove to Robb Elementary School, arriving at approximately **1:00:00 PM**. They saw that stretchers were being carried into the building and determined that the shooting had ended. SBPA [redacted] directed traffic at the street beside the incident command center, then provided security at the hospital. Later, he went to the Uvalde High School and remained there until almost all the children went home, then went to UVA.

SBPA [redacted] (CBP LESC), interviewed on February 10, 2023. (Exhibit 80)

On May 24, 2022, SBPA [redacted] was at USBP Del Rio Sector and USBP Brackettville Station conducting observation and field review of the use of force training for the CBP LESC. While outside after the observation was finished, an unknown BPA informed him that there was an active shooter in Uvalde. SBPA [redacted] decided to respond to Uvalde and left Brackettville in an unmarked patrol vehicle with emergency lights and sirens activated. He drove directly to Robb Elementary School, arriving at approximately **1:00:00 PM**, and parked a couple blocks away from the school. He attempted to clear out vehicles that were blocking EMS vehicles from entering the school but was unsuccessful because the vehicles were locked. He dropped off a BPA at UVA to serve as a Peer Support Member, then went to the Uvalde hospital and helped direct traffic and advise family members where the entrance was. Then he drove to Flores Elementary School to assist with traffic control and security while children were being released to their parents. Next, he responded to Morales Junior High School to assist by standing guard to

ensure the safety of the school. Finally, he returned to UVA to see if any further help was needed, then went back to Del Rio.

ACPA [redacted] (DRT), interviewed on March 3, 2023. (Exhibit 128)

On May 24, 2022, ACPA [redacted] learned from ACPA [redacted] of a possible active shooter in Uvalde. ACPA [redacted] obtained M4 rifles and rode with ACPA [redacted] and (A)DCPA [redacted] to Robb Elementary School. During the drive, he worked with the others to identify and address priorities. ACPA [redacted] made the appropriate notifications, received and made phone calls, and tried to get the phone number of the incident command post to contact Sheriff Nolasco but received no answer. ACPA [redacted] called and informed the Strategic Communications Branch at DRT of the incident and contacted someone at the training branch and requested to have EMT, Peer Support, and Chaplain personnel respond to Uvalde.

Shortly after arriving at Robb Elementary School at approximately **1:00:00 PM**, they learned the threat had been neutralized. They locked their rifles in the GOV lockbox and ran with their EMT bags to assist at the school. They entered the school and saw there was nothing they could do inside to assist, so they exited the building, separated, and began gathering USBP personnel to meet with CPA Owens near a tree on the north side of the school.

There, they were directed to return to UVA. ACPA [redacted] called SOS [redacted] at DRT and requested she collect and send clean uniforms to UVA. They were in the process of leaving Robb Elementary School when a police officer asked them to assist with getting children onto a bus from inside the funeral home. ACPA [redacted] joined a line with other law enforcement personnel to keep the children separated from the large number of nearby parents and ensure they were safely on the bus. Due to the frustration demonstrated by some parents, they notified a local law enforcement officer that they were leaving and went to UVA.

ACPA [redacted] communicated with USBP headquarters in Washington, DC, and composed a list of UVA personnel who responded to Robb Elementary School. He returned to DRT at approximately **7:00:00 PM**, then went home. Prior to arriving at Robb Elementary School, ACPA [redacted] confirmed there was an active shooter in Uvalde but stated that generally the information he received was incomplete and unclear. He did not know if the assailant was still shooting, had quit shooting, or was dead. He was told the incident command post was established at a funeral home in Uvalde and that the agents on scene had the full support of the Chief of the Border Patrol in Washington, DC, to do whatever needed to be done to get the assailant.

ACPA [redacted] stated that the scene at the school was chaos, with law enforcement vehicles parked everywhere and streets blocked with law enforcement officers and civilians. He was not aware if CBP had an active shooter policy. He stated that it appeared that the BORTAC agent who took tactical control and put a team together was in charge at the school. ACPA [redacted] believed there was a moral obligation to respond because he took an oath to protect America, and believed he also had a personal responsibility to respond to an incident like a school shooting. He did not know what agency was in command and control of the overarching incident but stated

it was not USBP. He stated that USBP's role was to support other law enforcement agencies and take joint action, if necessary, because a local or state agency would have had jurisdiction.

BPA [redacted] (UVA), interviewed on February 17, 2023. (Exhibit 87)

On May 24, 2022, BPA [redacted] was working with the brush crew when he heard a radio transmission that a shooting had occurred at Robb Elementary School. He rode with other BPAs in a marked patrol vehicle with lights and sirens activated and fell in behind other USBP marked patrol vehicles. BPA [redacted] arrived at the Civic Center at approximately **1:00:00 PM** and provided crowd control and cleared a pathway for buses to drive. He was not sure what USBP's role was, but believed it was primarily as support and to help at the scene.

BPA-P [redacted] (DRT), interviewed on February 10, 2023. (Exhibit 62)

On May 24, 2022, BPA-P [redacted] was assigned to the Professional Standards Branch, Management Inquiry Team at DRT, assisting with interviews at the USBP Soft Sided Facility in Eagle Pass, Texas, with SBPAs [redacted] (DRT) and [redacted] (DRT) when an unknown SBPA received a phone call advising them to respond to Uvalde because of a shooting incident. BPA-P [redacted] responded using lights and sirens and drove directly to Robb Elementary School, arriving there a few minutes after **1:00:00 PM**. Due to the large number of law enforcement vehicles at the scene, they had to park approximately one-quarter to one-half of a mile away from the school and walk.

While walking, they encountered an SBPA who told them the situation was over. BPA-P [redacted] remained outside the school's fence for a short time, then walked to the funeral home, where he received instructions from an unknown person to go to Dalton Elementary School. He stopped at UVA to pick up body armor and a long arm, then drove to Dalton Elementary School and helped reunite arriving parents with their children. He assisted with traffic control at the entrance to the school, then returned the body armor and long arm to UVA before returning to Del Rio. When asked about his general perception of who was in charge on May 24, 2022, BPA-P [redacted] indicated that the incident was complete chaos and it did not appear that anyone was in charge. He stated USBP's role in situations such as this was backup, but if USBP was first on site, the role would be to provide for the safety of the general public.

BPA [redacted] (UVA), interviewed on March 10, 2023. (Exhibit 158)

On May 24, 2022, BPA [redacted] was at UVA on light duty due to an ankle injury. He heard some of the USBP mechanics talking about a possible shooter at Robb Elementary School and decided to respond to Robb Elementary School as a BORSTAR agent. He drove a GOV to the school; while enroute, he heard over the radio the "shooter was down." BPA [redacted] arrived at Robb Elementary School at approximately **1:00:00 PM** and parked at the funeral home, then walked toward the school. He offered assistance to other BPAs, but they were busy and didn't respond. He then went to the front of the school and met with a group of BPAs for approximately 20 minutes before returning to UVA, where he was instructed to go to local schools and provide

security assistance because of reports of a potential new threat. He provided security at Dalton Elementary School, then returned to UVA.

BPA [redacted] (DRT), interviewed on March 1, 2023. (Exhibit 107)

On May 24, 2022, a supervisor called BPA [redacted] on his personal cell phone and informed him there was a possible shooting in Uvalde and instructed him to head to Uvalde. BPA [redacted] arrived at Robb Elementary School at approximately **1:00:00 PM** and walked toward the school, where he encountered other BPAs who informed him there were already enough people inside the school to provide support. He went to the funeral home to figure out how he could help and was instructed to relocate to the Civic Center, so he went there and met with other BPAs. He drove some BPAs back to the funeral home, took general pictures of all the law enforcement activity outside the school, then drove the BPAs back to the Civic Center. BPA [redacted] provided support by giving breaks to the BPAs stationed outside the Civic Center. He stated he did not know what had occurred until he arrived at Robb Elementary School. Prior to arriving at Robb Elementary School, he believed law enforcement officers were chasing a smuggler who bailed out of a vehicle and ran into the school. BPA [redacted] did not know who or which agency was running the command center when he arrived at the funeral home.

BPA [redacted] (DRT SOD), interviewed on March 1, 2023. (Exhibit 112)

On May 24, 2022, BPA [redacted] was assigned to the Emergency Operations Center at DRT, where a supervisor informed him there was an active shooter in Uvalde. BPA [redacted] asked if they were going to respond. The supervisor said yes and BPA [redacted] self-deployed. He drove in a GOV and arrived near Robb Elementary School at approximately **1:00:00 PM**. He took his medical bag, weapon, and helmet, and proceeded toward the school. He arrived at the west entrance after the breach and began helping fellow agents who were affected by the events by providing water and emotional help. He met with his team, then went to the side of the building where everyone was mustering and was ordered back to UVA.

Upon being informed of a message about the assailant's girlfriend, he and other agents went to schools around Uvalde. BPA [redacted] went to Dalton Elementary School and was stationed at the back door to make sure no one entered the school. He also assisted with directing traffic for parents picking up their children. During his travel to Robb Elementary School, BPA [redacted] heard communications that described the event as a barricaded subject. When he arrived at Robb Elementary School at approximately **1:00:00 PM**, he observed people standing around as if nothing was going on. He felt that PAIC [redacted] and SBPA [redacted] were in charge of USBP personnel because SBPA [redacted] was providing direction and guidance to his BORSTAR team. BPA [redacted] believed USBP had authority to respond to an active shooter situation because when lives are being threatened, the threat must be stopped as soon as possible.

BPA [redacted] (UVA), interviewed on March 16, 2023. (Exhibit 187)

On May 24, 2022, BPA [redacted] was working brush crew at [redacted] and [redacted] south of Uvalde when another BPA in the crew received a text from his spouse asking what was going on at Robb Elementary School. BPA [redacted]'s supervisor instructed him to respond to the school. He drove toward the school but was redirected to the Civic Center. While enroute, he heard sporadic communication over the radio stating "they were going in," and "the subject was down." He arrived at the Civic Center at approximately **1:00:00 PM** and remained there to provide security and assist with crowd control until all children were safely returned to their parents. He then returned to UVA and went home.

BPA [redacted] observed the atmosphere at the Civic Center was chaotic and people were panicking. He perceived there was no command and control at the Civic Center and observed that law enforcement officers were self-initiating work to control the scene. Regarding authority to respond, BPA [redacted] believed all law enforcement officers should respond to these types of incidents.

BPA [redacted] (EGT), interviewed on February 8, 2023. (Exhibit 45)

On May 24, 2022, BPA [redacted] was on riverine patrol on the Rio Grande near Eagle Pass, Texas, when BPA [redacted] (EGT) told him about the Robb Elementary School incident. BPA [redacted] assisted the vessel commander in getting the boat out of the water so he could exit and respond to Uvalde as an EMT. He took the M4 rifle from the boat and traveled with another BPA in a USBP ambulance with the lights activated, using the sirens only when traffic approached. He arrived at the Uvalde Memorial Funeral Home at approximately **1:00:00 PM** and parked as close to the school as possible.

He approached the school carrying his EMT gear but was advised that everyone needing medical treatment had already been treated. He then proceeded to the funeral home and heard radio traffic indicating the possibility of a second threat. He went to Dalton Elementary School, where he provided security for five hours. He communicated with arriving parents to help them understand the process for picking up children. BPA [redacted] recalled receiving instructions only from Watch Commander (WC) [redacted] (DRS) and was not aware if anyone else was in charge of the incident. BPA [redacted] understood USBP's role in the response was to fan out and provide security around the school because he believed the school handled most of what occurred.

BPA [redacted] (COM), interviewed on March 1, 2023. (Exhibit 113)

On May 24, 2022, BPA [redacted] was on duty at the USBP DRT firearms range when another BPA received a phone call regarding an active shooter and possible bailout in Uvalde. He also heard that a possible load vehicle had shot at the Uvalde Police Department and had something to do with a school. BPA [redacted] drove in a GOV with other BPAs to Robb Elementary School and parked in a local resident's driveway with the resident's permission at approximately **1:00:00 PM**. He helped provide security near a disabled truck in a drainage culvert and assisted with

moving vehicles that were blocking the street. He went to the funeral home and was advised to assist with security at the Uvalde Memorial Hospital. Before he could go there, he was instructed to go to UVA for a muster.

From UVA, he traveled with other BPAs to various Uvalde schools to help with security based on information regarding an additional shooter. He provided security for the rest of the day at Uvalde High School, Morales Junior High School, and Flores Elementary School, then traveled back to the DRT firearms range. BPA [redacted] identified that the command center was in the Hillcrest Memorial Funeral Home. He identified examples of BPA authority to respond such as a felony occurring or a smuggling vehicle incident and stated he was in a backup role during the Robb Elementary School shooting because he arrived after the assailant was stopped.

SBPA [redacted] (DRT), interviewed on February 10, 2023. (Exhibit 60)

On May 24, 2022, SBPA [redacted] was in Eagle Pass, Texas, to assist OPR conducting interviews for a critical incident investigation. During the trip to Eagle Pass, he heard spotty communications on the USBP radio about an incident taking place in Uvalde. During an interview at Eagle Pass, he received a phone call informing everyone that they needed to respond to Uvalde to assist with a critical incident involving CBP employees and a shooting. SBPA [redacted] drove to Uvalde with his lights and sirens activated when needing to overtake civilian vehicles. He arrived in Uvalde after law enforcement had confronted and killed the assailant. He arrived at the Hillcrest Memorial Funeral Home a few minutes after **1:00:00 PM** and parked approximately two blocks away from Robb Elementary School, then walked toward the school. The incident was already over by that time, so he remained outside the school for about 10 minutes.

Afterward, he went to the command center at the funeral home and met with OPR SA [redacted] (OPR Del Rio) and Acting Resident Agent in Charge ((A)RAC) [redacted] (OPR Del Rio). While at the funeral home, (A)RAC [redacted] directed him to secure Dalton Elementary School after going to the Uvalde Border Patrol Station to check out hard-plate body armor and M4 rifles. SBPA [redacted] provided perimeter security at Dalton Elementary School and helped direct traffic with other state and local law enforcement officers. He answered questions and directed people where to go to retrieve their children. He stated that USBP's role in this incident was support and public safety.

SBPA [redacted] (CAR), interviewed on March 15, 2023. (Exhibit 182)

On May 24, 2022, SBPA [redacted] was the duty supervisor at CAR responsible for overseeing daily operations, including scheduling and reviewing files. She heard a radio transmission over the county radio related to a crash, then received a call from a BPA at CAR stating that [redacted] school was on lockdown because of an active shooter. Next, a BPA came into the office and stated there was an active shooter in Uvalde County and inquired as to which school.

SBPA [redacted] contacted UVA to obtain information. She stayed in the duty supervisor office with WC [redacted] and notified PAIC [redacted] and DPAIC [redacted] via text. She received a phone call

from BPA [redacted], who informed her that he was responding to the school. She continued to field phone calls from other BPAs. Other BPA EMTs and paramedics asked her if they could deploy; she instructed them to stand by, then received authorization to deploy them. She broadcast over the radio for all available EMTs to respond to Robb Elementary School, then grabbed her EMT bag and departed for Uvalde.

She coordinated with the Crystal City Sheriff's Office to clear the roads to allow EMTs to quickly pass through town. She arrived at Robb Elementary School approximately between **1:00:00 PM** and **1:10:00 PM** and parked in front of a residence because the roads were blocked, then ran toward the school. Another BPA stopped her and told her not to enter the school because there was nothing else they could do. She gathered at a tree with other BPAs and began providing Peer Support, then rode with BPA [redacted] to UVA and continued Peer Support duties.

She was requested to go to the hospital to support BPA [redacted] and went there with SBPA [redacted] but was unable to visit BPA [redacted] because of a restriction on the number of visitors allowed per patient. She provided her business card to BPA [redacted]'s family in case they required Peer Support services, then remained at the hospital because it was on lockdown due to the threat of a second shooter. During that time, she conversed with a boy who was a victim from inside one of the classrooms and provided her business card to the boy's mother. She left the hospital and went to the Civic Center, where she assisted with security and crowd control.

SBPA [redacted] stated she could not tell who was in command and control at Robb Elementary School. The only time she perceived anyone in command was when TXDPS Captain [redacted] gave the order to stand down over the radio, prior to the breach. SBPA [redacted] stated that the rest of the radio chatter was complete chaos. She believed USBP's role in responding to the school was to stop the threat and provide medical services, although she stated that the primary responsibility to stop the threat was with the first law enforcement agency that arrived on scene. She stated USBP employees are public servants with a responsibility to protect.

BPA [redacted] (CAR), interviewed on March 10, 2023. (Exhbit 153)

On May 24, 2022, BPA [redacted] was working at the permanent tactical checkpoint as an EMT and EMT Coordinator when another BPA asked BPA [redacted] to handle vehicle primary because the other BPA's wife and son were at a school involved in an active shooter incident. BPA [redacted] called CAR, and an SBPA advised him not to respond. Later, BPA [redacted] received a phone call from a radio operator instructing him to respond to Robb Elementary School as an EMT. He drove alone with his emergency equipment activated and parked in the yard of a house, then walked toward the school approximately between **1:00:00 PM** and **1:15:00 PM**. He received instructions to not go inside the school, so he spoke briefly with other BPAs, then traveled to UVA where he heard about a second threat and was instructed to provide security at the hospital, which was then changed to the Civic Center. BPA [redacted] responded to the Civic Center, provided perimeter security, and advised some people that voting had been stopped because of the need to secure the Civic Center. BPA [redacted] did not know who was in charge of the response to the active shooter. He believed USBP had a duty to act and respond as a law enforcement organization responsible for protecting the public.

BPA [redacted] (DRT), interviewed on March 3, 2023. (Exhibit 125)

On May 24, 2022, BPA [redacted] was assigned to the DRT Sector Intelligence Unit checking the roads for vehicles that had been breaking down fences. He received a group text from Zavala County Sheriff's Office stating, "school shooting at Robb Elementary," and requesting support. He was not sure whether to respond because he did not feel he would make it in time but left after 20 minutes and drove straight to the school in a GOV and wearing plain clothes, arriving there approximately between **1:00:00 PM** and **1:30:00 PM**. As BPA [redacted] entered Uvalde, he heard over the radio that entry was made into the classroom. Shortly afterward, he heard the threat was "down."[192]

At the school, he saw a Crystal City Police Department officer he knew and requested information, but the officer was unable to provide any information. BPA [redacted] spoke with many law enforcement officers to identify where he could be of assistance, but everyone was either briefing or awaiting instructions. School personnel informed him that there were still children inside the school, so he joined a group of law enforcement officers and began clearing about five classrooms and escorting children and teachers outside before being relieved by the San Antonio Police Department. He left the school and drove back to DRT and briefed his supervisor. BPA [redacted] believed USBP's authority in an active shooter event was to neutralize the threat and respond to the people.

BPA [redacted] (BRA), interviewed on February 8, 2023. (Exhibit 43)

On May 24, 2022, BPA [redacted] was responding to sensor activations in the BRA area of responsibility and performing sign cutting with his training unit when a call came out on the service radio for all agents to report to the Civic Center. BPA [redacted] traveled to Uvalde with another BPA with lights and sirens activated and reported to the Civic Center approximately between **1:00:00 PM** and **1:30:00 PM**. There, they received orders to funnel the children getting off buses into the building, have parents wait to take the children until all the children were accounted for, keep the area clear, and keep a clear path to the building for the children. He provided perimeter security around the Civic Center upon hearing about another potential threat and answered questions from the public. BPA [redacted] stated USBP's role was to provide security.

BPA [redacted] (CAR), interviewed on March 9, 2023. (Exhibit 154)

On May 24, 2022, BPA [redacted] was working at the CAR processing center when he heard other BPAs talking about a possible shooting somewhere in Uvalde. He was advised to direct CAR EMTs to Uvalde to assist with medical care and responded as an EMT in his assigned vehicle.

He parked in a neighborhood near the school and walked to the school, arriving approximately between **1:00:00 PM** and **1:30:00 PM**. He then went to the rally point with other BPAs and provided agents with ice packs and water. He joined other law enforcement officers in clearing

[192] OPR interview of [redacted], March 3, 2023, timestamp 00:21:58.

five or six classrooms, then met with another group of BPAs who were directed to the Civic Center. He provided perimeter security at the Civic Center for approximately three hours, then returned home.

BPA [redacted] did not know if there was an active shooter or if shots had been fired. He did not believe anyone from USBP oversaw the scene and understood he was directed to Robb Elementary School in a medical capacity. BPA [redacted] identified that PAIC [redacted] was the supervisor directing the agents at the rally point and that AEA [redacted] appeared to be leading the group clearing the classrooms. BPA [redacted] did not know who was in command at the Civic Center.

BPA [redacted] (BRA), interviewed on March 8, 2023. (Exhbit 145)

On May 24, 2022, BPA [redacted] was detailed to USBP DRT as an EMT Coordinator. He was providing EMT training when a trainee (a trooper from TXDPS) notified him that there was an active shooter in Uvalde. ACPA [redacted] directed BPA [redacted] to respond to Robb Elementary School. BPA [redacted] gathered his medical gear and responded with another BPA in an unmarked USBP vehicle. They arrived at Robb Elementary School approximately between **1:00:00 PM** and **1:30:00 PM** and parked a block away from the school, then headed to the funeral home. He signed in on a white board and asked where the medical triage area was located, then walked outside toward the school looking for it. He asked the San Antonio Fire Department Chief how he could be of assistance and was advised he would not be allowed in the school because it had been declared a crime scene.

BPA [redacted] then signed out of the command post at the funeral home and decided to meet another BPA at the Uvalde Memorial Hospital to assist. While enroute, he heard "shots fired at the high school" over the radio and decided to respond there. He helped search and clear the inside of the high school, then proceeded to Flores Elementary School, an unknown charter school, and Dalton Elementary School to provide perimeter security as each school was evacuated. He drove back to DRT, arriving at approximately **6:00:00 PM**.

BPA [redacted] stated that the San Antonio Fire Department Chief appeared to be in command and control of the local EMS on site. BPA [redacted] understood he was responding to a mass casualty event and stated that as an EMT he would provide first aid to anyone in need.

SA [redacted] (OPR Los Angeles), interviewed on July 25, 2023. (Exhibit 225)

On May 24, 2022, SA [redacted] was on duty and assigned to OPR Del Rio, where he was driving with SA [redacted] toward Eagle Pass, Texas. Two BPAs followed behind them in a separate vehicle and one of the BPAs called SA [redacted] and told him there was a shooting at a school in Uvalde. (A)RAC [redacted] told SA [redacted] and SA [redacted] to proceed to Eagle Pass. Shortly after they arrived, they received a call to respond to Uvalde. They drove in their GOV toward Uvalde with lights and sirens activated and arrived at Robb Elementary School approximately a few minutes after **1:00:00 PM**, where they saw 80–100 law enforcement officers and were not sure whether the situation was still active. They learned of a possible

secondary threat against other Uvalde schools and were directed to go to UVA to gather information from TXDPS Rangers. They drove to UVA with lights and sirens activated, and SA [redacted] remained there the rest of the evening.

SA [redacted] stated that the scene at the school was chaotic and he believed he was required to respond because he is a federal agent. He also stated that any request from state or local law enforcement would require a response.

SA [redacted] (OPR Del Rio), interviewed on February 10, 2023. (Exhibit 63)

On May 24, 2022, SA [redacted] was serving as a BPA on the Management Inquiry/Critical Incident Team at USBP Del Rio Sector, Texas. While driving to a meeting with BPA-P [redacted] and SBPA [redacted] at USBP Eagle Pass South Station, BPA [redacted] heard over the radio that someone had entered Robb Elementary School with a long arm and shots were fired. BPA [redacted] called SOS [redacted] and reported the information from the radio and requested to divert to Uvalde. SOS [redacted] instructed BPA [redacted] to continue to EGS. After BPA [redacted] arrived at EGS, he conducted the meeting, then received a phone call instructing him and the other agents to respond to Uvalde. They drove to Uvalde in GOVs with emergency equipment activated, arrived at Robb Elementary School a few minutes after **1:00:00 PM**, and parked two blocks away from the school. They entered the funeral home and signed in. There, a TXDPS supervisor told them that there was an active threat to other local schools and instructed them to go to a local school. As they prepared to do so, ACPA [redacted] told SA [redacted] that Chief Patrol Agent (CPA) Owens wanted to address everyone at UVA. They went to UVA to get rifles and body armor, then went to Dalton Elementary School, where they helped the principal release children by instructing parents to drive up to the school and present identification to pick up their children. BPA [redacted] assisted with traffic control and brought Gatorade to the funeral home. He indicated that USBP assists local police when circumstances require.

SA [redacted] (OPR Del Rio), interviewed on July 19, 2023. (Exhibit 222)

On May 24, 2022, SA [redacted] was driving toward Eagle Pass, Texas, to respond to another matter when he received a call from SBPA [redacted] about radio communications he heard regarding a possible shooting near a school in Uvalde. SA [redacted] called (A)RAC [redacted], who initially directed him to proceed with his planned assignment, but then directed him to respond to Uvalde upon learning that BORTAC was responding. SA [redacted] drove to Uvalde in his GOV with lights and sirens activated. He arrived at Robb Elementary School approximately a few minutes after **1:00:00 PM** and was advised not to go inside the school.

He went to the funeral home, where he learned of a possible secondary threat against other Uvalde schools and was directed to respond to Morales Junior High School. He sent a text message to OPR SAs that he was responding to the junior high school, where he remained at the perimeter and provided security. A local police officer requested him to accompany her to see the parents and explain the process for student dismissal. After two hours, SA [redacted] returned to the incident command center near Robb Elementary School.

He stated that CBP does not have authority to respond to incidents like the one at Robb Elementary except at the request of state or local law enforcement, who have primary jurisdiction.

Supervisory CBP Officer (SCBPO) [redacted] (Del Rio Port of Entry), interviewed on February 10, 2023. (Exhibit 59)

On May 24, 2022, SCBPO [redacted] was at the federal courthouse in Del Rio, Texas, assigned as a Task Force Officer (TFO) for U.S. Immigration and Customs Enforcement, Homeland Security Investigations, Del Rio, Texas, when he received a group text message from investigators at TXDPS regarding a possible active shooter incident at Robb Elementary School. TFO [redacted] decided not to respond because Del Rio is 70 miles away from Uvalde. He concluded his activities at the courthouse, then received a call from his supervisor instructing him to respond to the command center in Uvalde. TFO [redacted] picked up another TFO and traveled to Uvalde in an unmarked vehicle with lights and sirens activated. They arrived at the funeral home at approximately **1:00:00 PM**. He went to the Uvalde High School after an alleged report of a threat there, and he assisted officers in trying to calm parents for approximately 30 minutes. Hethen reported to the command center, where he was instructed to return to the high school and assist school faculty with children who were going to be released to their parents. He provided protection for school faculty and escorted children from the lunchroom to their parents' cars before responding to the fairgrounds for a debrief. TFO [redacted] believed USBP's role was to assist where needed.

BPA-P [redacted] (DRT), interviewed on March 1, 2023. (Exhibit 114)

On May 24, 2022, BPA-P [redacted] was an SBPA at DRT and someone at the DRT range notified him that there was an active shooter at Robb Elementary School. He and others gathered their gear and drove GOVs with lights and sirens to Robb Elementary School, arriving in Uvalde between approximately **1:05:00 PM** and **1:10:00 PM**. He anticipated the incident would be resolved by the time they arrived and was not directed to respond but stated that is what they train to do. Upon arriving, he walked down the street to see how he could help. He overheard that assistance was needed at the hospital with perimeter security and traffic control, so he and a BPA-P traveled there. Later, he was contacted to report to UVA to provide Peer Support assistance. He reported to UVA, then received information about the threat of a possible second shooter, so he traveled with a BPA-P to Uvalde High School, where they assisted in clearing the school. He then traveled to Flores Middle School, Morales Junior High School, and Dalton Elementary School to clear the schools and assist with reuniting students with their parents. After clearing the schools, he drove back to UVA, then went back to the DRT firearms range. BPA-P [redacted] observed that incident command was nonexistent. He stated USBP's role was to assist, do the right thing, and try to save lives because that is what they are paid to do.

WC [redacted] (EGS), interviewed on February 14, 2023. (Exhibit 73)

On May 24, 2022, WC [redacted] received a text message from the Uvalde Consolidated Independent School District indicating that Robb Elementary School was on lockdown because

of police activity in the area. Later, [redacted] contacted him by phone asking what was going on at the school. He received a request from an unknown BPA for help and for EMTs and anyone else able to respond. WC [redacted] sent BPA [redacted] to respond to Uvalde and followed BPA [redacted] with lights and sirens activated. They arrived at Robb Elementary School between **1:10:00 PM** and **1:15:00 PM**. WC [redacted] sent BPA [redacted] to the funeral home to check in at the command center, while WC [redacted] checked on injured BPA [redacted] at the Uvalde hospital. WC [redacted] received information about a possible secondary threat and responded to the Uvalde High School, where he cleared the high school and confirmed there was no shooter and no shots fired. WC [redacted] directed two agents to Flores Elementary School and two EMTs to Dalton Elementary School. He coordinated with BPAs to cover gaps in security perimeters at other Uvalde middle and high schools. He checked on [redacted] at the Civic Center, returned to the command center, then returned to the Uvalde High School and Morales Junior High School to help reunify children with their parents. He requested assistance from BPAs over the service radio for traffic control. WC [redacted] observed that there was not a lot of command and control. He described the situation as a chaotic mess and stated that it was difficult to get ahold of anyone using service radios. He believed USBP was there to support and assist and respond to the potential secondary threat.

WC [redacted] (BRA), interviewed on February 9, 2023. (Exhibit 54)

On May 24, 2022, WC [redacted] heard about the incident from a radio or phone call around lunchtime. He traveled toward Uvalde in a USBP vehicle but got a flat tire along the way and did not have a spare. Later, he learned the assailant had been confronted and shot, so he decided to return to BRA. While at BRA, he learned of a secondary threat, so he continued toward Uvalde with his emergency lights and sirens activated. He arrived at the Civic Center at approximately **1:15:00 PM** and provided perimeter security. He spoke with and provided instruction to Brackettville BPAs. WC [redacted] observed that the atmosphere at the Civic Center was chaotic and disorganized. He never learned who had overarching command and control and observed that law enforcement officers were given limited instructions. He believed he had a duty to provide aid and react to the incident at Robb Elementary School because people were dying.

BPA [redacted] (BRA), interviewed on March 1, 2023. (Exhibit 106)

On March 24, 2022, BPA [redacted] was attending an EMT course at BRA when two BPA EMT instructors told him there was a shooting and that they were leaving to go to Uvalde and assist. Acting ACPA [redacted] asked him to report to Robb Elementary School to assist as a certified Chaplain. BPA [redacted] drove toward there in his GOV with emergency equipment activated. Enroute, he was directed to the Uvalde Border Patrol Station instead of the elementary school. He arrived at UVA at approximately **1:15:00 PM** and provided support wherever possible for the rest of the day. He also assisted with distributing clean uniforms.

BPA [redacted] (BRA), interviewed on February 15, 2023. (Exhibit 79)

On May 24, 2022, BPA [redacted] was performing sign-cutting duties in the BRA area of responsibility and heard on the service radio that all available agents in the field needed to respond to Uvalde. He also received a message on his personal cell phone to respond to the Civic Center to assist with releasing children to their parents. He hiked out of the brush, then drove to Uvalde in his K9 vehicle with lights and sirens activated, arriving at the Civic Center at approximately **1:20:00 PM**. He coordinated with school staff at the Civic Center to create a pathway for children arriving on buses to enter the building. He set up a security perimeter around the Civic Center after a second threat was announced over the service radio. BPA [redacted] felt that the command and control structure was confusing and believed that his responsibility was to provide backup and assistance.

SBPA [redacted] (CAR), interviewed on March 9, 2023. (Exhibit 152)

On May 24, 2022, SBPA [redacted] was assigned to the USBP SOD at DRT. He learned of the Robb Elementary School incident via ATAK cell phone signal chat and text between BORSTAR members. He put on his combat tactical shirt and body armor plates, gathered his agency radio and rifle, and traveled alone to Uvalde. While enroute, SBPA [redacted] heard mixed messages over the radio about whether the assailant was alive or dead and where the assailant was. He also received a text that said, "shooter is down." Upon arriving at Robb Elementary School at approximately **1:20:00 PM**, he found his way via ATAK cell phone to BORSTAR members gathered near a tree by the entrance of Robb Elementary School. He approached and consoled BPA [redacted], then carried BPA [redacted]'s rifle and escorted him to his GOV, where he helped secure the rifle.

SBPA [redacted] instructed BORTAC members to report to UVA for a debrief, then drove to UVA. After receiving a message about a second threat, he responded to a middle school (possibly Dalton Middle School, but he does not remember), where he assisted with setting perimeter security and established the perimeter. He stayed at the school for a few hours until all the students were evacuated.

SBPA [redacted] observed that law enforcement vehicles were unable to access the road into the school and that it was eerily quiet, other than the sound of sirens. He stated that no one seemed to know what was going on and no one appeared to be in command or control of the situation at Robb Elementary School. SBPA [redacted] believed USBP's role was to respond in a support role and stated that in an active shooter situation, whether USBP has peace officer authority does not matter. He stated there is an implied obligation to respond and stop the assailant, with the priorities being to engage the subject, stop the carnage, and treat the wounded.

SA [redacted] (OPR Del Rio), interviewed on July 19, 2023. (Exhibit 221)

On May 24, 2022, SA [redacted] received a call from Acting Supervisory SA ((A)SSA) [redacted] telling him there was an active shooter situation in Uvalde and to be ready and on standby. SA [redacted] received a second call from (A)SSA [redacted] to respond to Uvalde. SA [redacted]

drove his GOV at the speed limit because the vehicle was not equipped with emergency equipment.

When he arrived at Hillcrest Memorial Funeral Home at approximately **1:30:00 PM**, SA [redacted] told him everything at the school was secure, but there was the possibility of a second shooter at another school, so SA [redacted] went to Uvalde Dual Language Academy to provide security. He worked alongside other BPAs and other law enforcement officers to provide security at that school, which was on lockdown. He left at approximately **4:00:00 PM** and went to UVA, then was sent to the Uvalde Memorial Hospital to serve as liaison between CBP and hospital staff because a BPA had been shot and taken to the emergency room. After the BPA was released, SA [redacted] returned to UVA and remained in the muster room until he was released around **12:00:00 AM**.

SA [redacted] believed the school principal and administrators and TXDPS troopers were responsible for organizing the dismissal of students and interacting with parents. He stated that a federal law enforcement officer has a responsibility and authority to respond to a threat of this magnitude to provide security and protect the public.

WC [redacted] (UVA), interviewed on February 16, 2023. (Exhibit 91)

On May 24, 2022, WC [redacted] arrived at the office and heard on the USBP radio that a shooting incident had occurred at Robb Elementary School. WC [redacted] ordered his immediate subordinates to remain at UVA to handle matters while he responded to the school. He drove to Robb Elementary School in a marked USBP vehicle with emergency equipment activated, arriving at approximately **1:30:00 PM**, then attended a muster brief at UVA at **2:00:00 PM**. After the brief, he went to the funeral home/incident command center to serve as the USBP point of contact. He offered USBP resources to TXDPS, who requested USBP provide security assistance at all schools and the Civic Center. WC [redacted] ordered SBPAs and available USBP personnel to report to different schools to provide security assistance for students being released. He believed USBP had a responsibility to the community and to the United States to respond and assist, especially if innocent people were being injured.

BPA [redacted] (CAR), interviewed on March 10, 2023. (Exhibit 161)

On May 24, 2022, BPA [redacted] was assigned watch duties at Dimmit Regional Hospital in Carrizo Springs when he received a text from another BPA informing him of a shooting at an Uvalde elementary school. BPA [redacted] contacted the operations center at CAR to inquire about responding to the school and was initially told to stand by, then 30 minutes later was told someone was coming to relieve him so he could respond to the school.

He traveled to Uvalde in his GOV with lights and sirens activated, arriving at Robb Elementary School at approximately **1:30:00 PM**. He parked and was jogging toward the school with his EMT bag when another BPA approached him and informed him to meet at UVA. He returned to his vehicle and departed for UVA. While at UVA, the Uvalde Memorial Hospital requested security assistance, so he and another BPA departed to go there in BPA [redacted]'s vehicle.

Upon arrival, they identified there was ample security, so they responded to the Civic Center to provide assistance. He assisted with reunifying several parents with their children, then dropped the other BPA off at his vehicle at UVA and went home. BPA [redacted] stated that the Civic Center was a chaotic mess with parents, media, and law enforcement.

BPA [redacted] (BRA), interviewed on February 8, 2023. (Exhibit 46)

On May 24, 2022, BPA [redacted] was working in a remote location near Spofford, Texas, when she heard a request over the radio for any available units to report to Uvalde. An unknown supervisor at BRA directed BPA [redacted] and three other BPAs to report to the Civic Center. They traveled there with lights and sirens activated, arriving at approximately **1:30:00 PM**. They were directed to stand on the sidewalk to facilitate crowd control. Later, BPA [redacted] relocated to provide security along the Civic Center's perimeter, where she informed people they needed to check in at the Civic Center to pick up students. BPA [redacted] believed USBP's efforts were to assist school administrators and provide assistance to other agencies, including crowd control and first aid.

BPA [redacted] (DRS), interviewed on February 9, 2023. (Exhibit 50)

On May 24, 2022, BPA [redacted] was serving as an instructor for an EMT class at DRT when a fellow EMT instructor, BPA [redacted] (BRA), told him to retrieve his medical kit because they were leaving to go to Uvalde. They traveled in an unmarked GOV with lights activated, but the lights stopped working before leaving Del Rio. At approximately **1:35:00 PM**, BPAs [redacted] and [redacted] arrived at the Hillcrest Memorial Funeral Home in Uvalde and attempted to follow protocol by finding an on-scene incident commander. Finding none, they spoke with medical personnel at the funeral home and were redirected to Uvalde Memorial Hospital.

While enroute to the hospital, they heard a radio communication regarding a suspected shooter at Uvalde High School, so they decided to redirect to the high school. There, they assisted with clearing classrooms, then went to nearby Morales Junior High School to provide additional perimeter security for one hour before being relieved by someone from the UCSO. Next, they went to Flores Elementary School to provide security and pass along information to parents. When asked about USBP's authority respond to incidents such as the one at Robb Elementary School, BPA [redacted] stated he believed, as federal law enforcement officers, it was USBP's role to respond to incidents and provide protection where needed.

SBPA [redacted] (CAR), interviewed on February 10, 2023. (Exhibit 64)

On May 24, 2022, SBPA [redacted] learned about the incident at Robb Elementary School because a subordinate contacted him by phone and requested leave to go to the school because the subordinate's [redacted] were there. SBPA [redacted] approved the request and went to the CAR checkpoint to cover for the subordinate until another BPA arrived. SBPA [redacted] monitored the response of other BPAs and EMTs on his Android Team Awareness Kit (ATAK) phone. He then heard that law enforcement officers had breached the classroom where the assailant was. DRT requested SBPA [redacted] to respond to UVA and provide Peer Support

services. SBPA [redacted] notified another Peer Support Member to also report to UVA to provide Peer Support services, then drove alone to UVA in a marked USBP vehicle with emergency equipment activated. He arrived at UVA at approximately **1:45:00 PM** and provided Peer Support services to affected BPAs. Upon hearing reports of a secondary threat, he shifted to providing security and went to the Uvalde hospital for less than 10 minutes. Next, he went to the Civic Center to provide security outside and direct and escort arriving parents to the entrance. SBPA [redacted] believed the priority was to send EMTs, then ensure the safety of the EMTs due to possible threats. He responded to the incident as a matter of public safety.

SA [redacted] (OPR Del Rio), interviewed on July 19, 2023. (Exhibit 220)

On May 24, 2022, SA [redacted] received a call from his supervisor telling him to grab his equipment and respond to Uvalde because there was an incident involving a mass shooting and USBP was involved. He drove to Uvalde in a GOV at the speed limit and obeying all traffic laws because the vehicle was not equipped with emergency equipment. He parked near the funeral home at approximately **1:45:00 PM** and spoke with a TXDPS sergeant, trying to find the incident command center.

SA [redacted] saw another OPR SA and together they found the incident command center in a trailer on the northeast side of the school. There, they learned about a possible secondary threat at another school, so they left for Uvalde High School. They spent a few hours at the high school providing security until all the children were released to their parents, then went to UVA and awaited further instruction. He was directed to go to the Uvalde airport around **7:00:00 PM** and pick up CBP personnel. He took them back to UVA and was dismissed around **12:00:00 AM**.

SA [redacted] observed the area surrounding the school was chaos. He believed it was his duty to act as a law enforcement officer to provide security and safety to the public.

SBPA [redacted] (CAR), interviewed on February 14, 2023. (Exhibit 76)

On May 24, 2022, PAIC [redacted] informed SBPA [redacted] about the Robb Elementary School shooting at a meeting they were both attending and instructed SBPA [redacted] to respond to the Uvalde Station. SBPA [redacted] proceeded by himself in an unmarked USBP vehicle without using emergency equipment, arriving in time to attend the **2:00:00 PM** muster. He went to the Uvalde hospital to check on a wounded BPA there but was unable to visit him. Next, SBPA [redacted] went to the Civic Center and provided security for 2.5–3 hours. He believed his role was to provide support and security for whatever was needed.

BPA [redacted] (EGT), interviewed on February 9, 2023. (Exhibit 56)

On May 24, 2022, BPA [redacted] was on riverine patrol on the Rio Grande near Eagle Pass, Texas, with BPA [redacted] (EGT) when BPA [redacted] received a phone call directing them to respond to the funeral home in Uvalde because they were both EMTs. BPA [redacted] learned about the shooting at Robb Elementary School while enroute by listening to the news on the

radio. They traveled in a USBP vehicle with lights and sirens activated and parked several blocks away from the funeral home. They arrived at the funeral home with their EMT equipment at approximately **2:00:00 PM** and were told that everyone needing medical treatment had already been treated and to report to the Uvalde Border Patrol Station or Del Rio Sector.

As they were driving away from the funeral home, they heard a radio communication about a possible threat to other Uvalde schools, so they followed another USBP vehicle that had its emergency equipment activated and went to Dalton Elementary School, where they provided security until the school's lockdown was lifted. They then assisted school staff with releasing students to parents and explained the lockdown and release procedures to parents. BPA [redacted] said he did not know who was in charge at the funeral home and did not observe any instructions being provided to law enforcement officers. BPA [redacted] explained that based on his training, in a situation like this incident, the first responding law enforcement officer on scene is supposed to take charge of the scene until a more senior law enforcement officer arrives. He stated that USBP has previously assisted in emergency responses but understood these events to be typically local matters with USBP providing a support role.

BPA [redacted] (BRA), interviewed on February 8, 2023. (Exhibit 41)

On May 24, 2022, BPA [redacted] was assigned to a detail near Spofford, Texas, when he heard a radio transmission from a helicopter advising that there was a school shooting in Uvalde and a subsequent radio transmission ordering all BRA working agents to report to the Civic Center. He left immediately for Uvalde with his team using a GOV with emergency lights and sirens activated and arrived at the Civic Center at approximately **2:00:00 PM**. There, he helped clear a path so students could get inside and kept the area clear for vehicles arriving with students. He spoke with parents who were asking questions and assisted with creating a perimeter around the Civic Center because of a secondary threat that was being investigated. He also handed out a few bottles of water. BPA [redacted] observed numerous law enforcement officials from a myriad of agencies at the Civic Center. He believed that USBP had authority to respond to emergency situations and indicated that USBP has a lot of agents who live or work in the area.

BPA [redacted] (DRT), interviewed on March 14, 2023. (Exhibit 174)

On May 24, 2022, BPA [redacted] was traveling back from a temporary duty assignment in Carrizo Springs, Texas, when ACPA [redacted] notified him of an active shooter at Robb Elementary School in Uvalde and deployed him to Uvalde. He arrived at the scene at approximately **2:30:00 PM** and it was no longer active. He inquired where he could assist and was advised that everyone who needed medical assistance had already been transported to the hospital. He took photos of the suspect's truck and remained at Robb Elementary School for approximately one hour before hearing a radio transmission indicating a second threat at the Uvalde High School, so he went there.

He was then advised to return to Robb Elementary School for a media briefing, so he proceeded to the funeral home, where he received instructions to respond to the Civic Center to provide

security during the media brief. He remained at the Civic Center for approximately two hours. When the media brief ended, he was instructed to return to DRT.

BPA [redacted] did not know who was in charge of the scene at Robb Elementary School. He stated that it did not appear that anyone was in charge at the Civic Center. He did not know of a specific authority that allowed USBP to respond, but believed USBP had a duty as public servants and law enforcement officers to protect and serve the community.

WC [redacted] (CAR), interviewed on February 28, 2023. (Exhibit 100)

On May 24, 2022, WC [redacted] was scheduled to work the swing shift. He was at home reading emails regarding the incident at Robb Elementary School on his government phone before his shift started. Upon arriving at CAR shortly before his shift started, PAIC [redacted] told WC [redacted] to send four agents from his shift to assist with traffic control at the Civic Center. WC [redacted] directed BPAs to respond to Uvalde and contact the incident commander. He went to Uvalde to support the agents he sent, traveling by unmarked USBP vehicle without emergency equipment activated. He arrived at the Hillcrest Memorial Funeral Home at approximately **3:00:00 PM**, then went to the Civic Center. He then went to UVA to see if they needed assistance and remained there for 1.5 hours, then returned to the Civic Center. He stayed at the Civic Center for a few hours until determining that support was no longer needed, then departed.

WC [redacted] believed his role at the Civic Center was to provide security and crowd control as needed. He did not know who was in charge at the Civic Center and didn't see anyone giving directions to the officers there. He stated that USBP's authority or role was to support local law enforcement agencies by providing security.

ACPA [redacted] (DRT), interviewed on February 28, 2023. (Exhibit 101)

On May 24, 2022, ACPA [redacted] was working at the DRT Strategic Communications (STRATCOM) Branch when Deputy Chief Patrol Agent (DCPA) [redacted] called and told him there was a shooting incident in the Uvalde, Texas, area and that perhaps it was an active shooter situation. DCPA [redacted] instructed ACPA [redacted] to deploy STRATCOM personnel to Uvalde. ACPA [redacted] traveled with the DRT Public Affairs Specialist in an unmarked GOV without lights and sirens and ordered two STRATCOM BPAs to report to Robb Elementary School. By the time they arrived in Uvalde, the threat was already neutralized and by the time they arrived at Robb Elementary School (after **3:00:00 PM**), there were no children or buses at the school and the scene had been secured.

While at Robb Elementary School, ACPA [redacted] attempted to collect information and ensure that USBP personnel were not speaking to the media. He provided support to USBP personnel, then entered the funeral home/incident command post to gather information. He heard a request for assistance at the Civic Center, so he went there and provided security inside the Civic Center. ACPA [redacted] did not know who was in charge, but because it was a local incident, he assumed local law enforcement was in charge. ACPA [redacted] identified that as federal law enforcement officers, BPAs had a responsibility to respond to an active shooter situation to save lives.

WC [redacted] (EGT), interviewed on February 14, 2023. (Exhibit 74)

On May 24, 2022, WC [redacted] was the Watch Commander and acting Deputy Patrol Agent in Charge at Eagle Pass South Station (EGS). He was with PAIC [redacted], who received a phone call regarding the shooting at Robb Elementary School and told WC [redacted] about the incident. Initially WC [redacted] decided to stay at EGS to avoid complicating the scene with too many USBP personnel, but after it became prolonged and ongoing, he decided to respond to the command post in Uvalde. WC [redacted] traveled alone in an unmarked vehicle with the lights and sirens activated and arrived at the command post at the funeral home near the school at approximately **3:15:00 PM**. He asked TXDPS where he could assist, then proceeded to Flores Elementary School to assist the faculty with releasing children to their parents. He observed that the incident command post was chaotic and it was difficult to determine who was in charge. He stated that he was uncertain of USBP's role but believed there was a responsibility to assist and support other law enforcement agencies.

BPA [redacted] (CAR), interviewed on February 7, 2023. (Exhibit 37)

On May 24, 2022, BPA [redacted] began his shift at **2:00:00 PM**, attended the daily muster, then departed CAR. He received a call from the duty supervisor to return to CAR because he would be going to Uvalde. After he retrieved a rifle and magazines, BPA [redacted] rode with another BPA to Uvalde and arrived at the Civic Center at approximately **3:30:00 PM**. There, they were assigned to a parking lot on the Walgreens side of the Civic Center for the purpose of keeping traffic in and out of the lot to a minimum. He directed parents looking for their children toward a door where there were other uniformed officers. BPA [redacted] characterized the response as "all hands on deck."

DPAIC [redacted] (CAR), interviewed on February 10, 2023. (Exhibit 61)

On May 24, 2022, DPAIC [redacted] received a text message from SBPA [redacted] regarding an active shooter threat at a school in Uvalde. DPAIC [redacted] informed his supervisor of the active shooter incident and the supervisor stated that there were enough BPAs already responding. Later, there was a need for additional personnel for security at other buildings in Uvalde, so DPAIC [redacted] drove from Carrizo Springs to Uvalde in his personally owned vehicle (POV) following other agents in patrol vehicles. He arrived in Uvalde approximately between **3:30:00 PM** and **4:00:00 PM** and drove to the Civic Center, where he assisted with establishing additional perimeter security. He directed BPAs to relieve the initial perimeter security personnel, then report to the command center. He talked with some parents he knew personally, then went to UVA at **5:00:00 PM**, then left for home. DPAIC [redacted] believed USBP's role was to assist, stop any threat, and provide security and assistance.

PAIC [redacted] (CAR), interviewed on February 10, 2023. (Exhibit 58)

On May 24, 2022, PAIC [redacted] was in a meeting with external stakeholders when someone in the group received a phone call or text message advising of a possible active shooter in Uvalde. PAIC [redacted] cut the meeting short and sent an email to all CAR supervisors advising them to

stand down and await further information. He attended a [redacted] muster at CAR, then proceeded with other agents to the Civic Center, arriving there approximately between **3:30:00 PM** and **4:00:00 PM**. There, he provided relief for BPAs who were already working at the Civic Center. PAIC [redacted] described the situation at the Civic Center as very disorganized when he arrived. He stated that USBP's role was only to support in any way possible because he believed USBP had no jurisdiction or authority to respond to the incident.

BPA [redacted] (CAR), interviewed on February 7, 2023. (Exhibit 39)

On May 24, 2022, BPA [redacted] was not yet on duty and was having lunch with [redacted] when she informed him that she had discovered through social media that a shooting had occurred at Robb Elementary School. BPA [redacted] reported for swing shift duty at CAR at [redacted] and was advised to respond to the incident command center and provide additional security around the perimeter of Robb Elementary School. He traveled to Uvalde in a USBP patrol vehicle. While enroute, he was directed to respond to the Civic Center instead and arrived there at approximately **4:00:00 PM**. At the Civic Center, he directed family members to the main entrance and directed members of the media to a different area. He returned to CAR after being relieved by officers from the Dilley Police Department. BPA [redacted] indicated that USBP's role was to respond to the scene and assist where needed.

BPA [redacted] (CAR), interviewed on February 9, 2023. (Exhibit 53)

On May 24, 2022, BPA [redacted] heard about the incident at Robb Elementary School from a coworker while driving to work. He reported to CAR at [redacted] and was told the situation was handled, so he would remain at CAR. Later, he received instruction to pair up with other BPAs and go to Uvalde to relieve BPAs working security at the Civic Center. He rode with another BPA with emergency equipment activated, but they were later informed that it was not necessary, so they deactivated it. BPA [redacted] arrived at the Civic Center at approximately **4:00:00 PM** and directed traffic there for two to three hours. He provided information to civilians on where to go to vote, where to park, and where to get their children. He advised people not to block the entrances/exits of the Civic Center. BPA [redacted] stated that USBP's role was to support local law enforcement and protect the public from harm.

BPA [redacted] (CAR), interviewed on February 9, 2023. (Exhibit 51)

On May 24, 2022, BPA [redacted] had begun work and attended the daily muster when he was called to return to the station's armory with other BPAs. They were assigned rifles and then traveled to Uvalde. BPA [redacted] was assigned to the Civic Center parking lot for approximately two to three hours beginning at approximately **4:00:00 PM**, after which he returned to CAR. He stated that law enforcement officers have an obligation to respond to an active shooter situation.

ACPA [redacted] (USBP Tucson Sector, Arizona), interviewed on February 10, 2023. (Exhibit 70)

On May 24, 2022, ACPA [redacted] was the SOS at USBP Eagle Pass South Station. SOS [redacted] heard about the incident at Robb Elementary School from another agent at the station. He took USBP uniforms to UVA, driving in an unmarked GOV with lights and sirens activated. He arrived at UVA approximately between **4:00:00 PM** and **5:00:00 PM** and dropped off the uniforms at the UVA muster room. Then he went to Morales Junior High School and assisted school officials with escorting children exiting the school to their parents and providing traffic control. After that, he went to Uvalde High School, where he assisted a driver who did not look well. He moved the driver's vehicle to a parking spot and aided the driver until the driver's mother arrived. ACPA [redacted] observed a large law enforcement presence from many different agencies. He stated that USBP has authority and responsibility to provide service to the public and other law enforcement officers by assisting with whatever emergency there is.

BPA [redacted] (UVA), interviewed on March 16, 2023. (Exhibit 188)

On May 24, 2022, BPA [redacted] reported for duty after the incident at Robb Elementary School was over. She did not respond to Robb Elementary School but was informed during the UVA muster that USBP personnel had been involved in a school shooting incident. After the muster, BPA [redacted] made herself available to provide moral support. She received information that the girlfriend of the Robb Elementary School assailant was going to "finish the job" and was instructed by an SBPA to respond to Dalton Elementary School. She traveled to the school in eight minutes and advised a uniformed law enforcement officer that she was there to assist. The law enforcement officer directed her to park and provide perimeter security and assist with traffic control. BPA [redacted] stated that it was common for other law enforcement agencies to reach out to USBP for assistance and that USBP usually responds in a secondary role.

ACPA [redacted] (DRT), interviewed on March 1, 2023. (Exhibit 105)

On May 24, 2022, ACPA [redacted] was overseeing the DRT Training and Traumatic Incident Branch, which includes Peer Support, EAP, Chaplains, and canine support, and serving as the acting Deputy Division Chief for DRT's Mission Readiness Operations Division. While having lunch with other USBP personnel, ACPA [redacted] received either a call or a text message regarding the shooting at Robb Elementary School. He left the restaurant and returned to DRT, where he remained in Del Rio and did not respond to Uvalde. His role at DRT was to provide resources to support responding BPAs by overseeing agent support services. He coordinated the deployment of EMTs and a medical supply trailer; tasked Acting ACPA [redacted] with activating all Peer Support and Chaplain personnel to respond to UVA; coordinated with the watch commander and a BPA to send a message through the emergency notification system to alert personnel of the emergency and for people to reply with their status; requested additional clinicians and agent services respond to Uvalde on a long-term basis; activated a surge team that responded the day after the incident in two-week rotations; and requested funds for replacing equipment and uniforms of BPAs who were hands-on at the scene. ACPA [redacted] believed that PAIC [redacted] was responsible for supervising the field personnel responding to the incident and that PAIC [redacted] was managing the USBP personnel at UVA.

CBP PERSONNEL WHO SUPPORTED THE RESPONSE

Some CBP employees did not respond to Robb Elementary School, but instead responded elsewhere or remained where they were to provide support to the law enforcement response. The following is a summary of the interviews provided by these employees:

BPA [redacted] (DRT), interviewed on February 28, 2023. (Exhibit 93)

On May 24, 2022, BPA [redacted] was assigned to DRT headquarters on a detail as the Peer Support Coordinator. BPA [redacted] was having lunch with other USBP personnel when he learned of the shooting at Robb Elementary School from a post on Facebook. Shortly after that, everyone at the table began receiving notifications on their government cell phones. BPA [redacted] received calls from BPAs in Uvalde notifying him about the shooting and requesting Peer Support help. He retrieved the Peer Support roster and began contacting personnel to report to UVA. He departed Del Rio with another Peer Support Member who drove while BPA [redacted] continued to contact Peer Support personnel. He arrived at UVA at approximately **1:00:00 PM** and began coordinating and assigning tasks to Peer Support personnel. He sent a group of Peer Support BPAs to provide security at the house of a BPA whose [redacted] was one of the deceased children from the shooting. From the time he arrived at the Uvalde Border Patrol Station at approximately **1:00:00 PM**, BPA [redacted] understood that CPA Owens was in command and control at UVA.

SBPA [redacted] (EGT), interviewed on March 3, 2023. (Exhibit 129)

On May 24, 2022, SBPA [redacted] was on detail as adjutant to CPA Owens at DRT. CPA Owens summoned SBPA [redacted] to his office and told him that there was an active shooter at an Uvalde elementary school. SBPA [redacted] retrieved his ballistic vest and drove with CPA Owens to Uvalde with lights and sirens activated when moving through intersections. They arrived at Robb Elementary School at approximately **1:00:00 PM**, approximately 10 minutes after the classroom was breached and the assailant was shot.

SBPA [redacted] met with other BPAs at a tree on the north side of the school, then returned to his GOV and drove to UVA. He left to pick up food and brought it to UVA, then drove back to EGT. SBPA [redacted] did not know who was in command, but he believed TXDPS was responsible for investigating. He understood that if there is an incident of this type, USBP would respond and stated that USBP is obligated to respond to active shooter events and regularly assists other agencies.

Chief Border Patrol Agent (CPA) Jason Owens (DRT), interviewed on March 13, 2023. (Exhibit 165)

On May 24, 2022, a DCPA came into CPA Owens's office in Del Rio, Texas, and informed him that there was a report of an active shooter in Uvalde. CPA Owens rode in an unmarked GOV while SBPA [redacted] drove with lights and sirens activated. While enroute, CPA Owens contacted the TXDPS Regional Commander and apprised him of the situation. He talked to DRT Division Chief (DC) [redacted] to make sure all notifications were going to the chain of

command and instructed him to activate the call tree and contact Office of Field Operations (OFO) and AMO to get information on any of their personnel who had responded. CPA Owens told DC [redacted] to get as many people to Uvalde as needed to help and to activate Peer Support. He relayed information to DCPA [redacted] to tell BPAs to do what they needed to do and not to wait.

SBPA [redacted] and CPA Owens arrived at Robb Elementary School at approximately **1:00:00 PM** and parked one to two blocks away, then walked toward the school. CPA Owens told DCPA [redacted] to make sure all BPAs were accounted for and taken care of. Upon realizing that the school was a crime scene, he directed all USBP personnel to finish helping, then move to UVA. He directed DCPA [redacted] to get fresh uniforms and Peer Support ready at UVA, then instructed DCPA [redacted] to send BPAs wherever they could to help in response to additional threats broadcasted on social media. CPA Owens contacted USBP Headquarters to plan with other USBP sectors to keep operations running in Uvalde. CPA Owens coordinated moving personnel from Laredo and other areas to cover the Uvalde area of responsibility. He spoke with DHS Secretary Mayorkas and CBP Commissioner Magnus and advised them of the situation. CPA Owens gave involved personnel two days of administrative leave to decompress and talk with Peer Support.

CPA Owens stated that radio traffic was difficult to understand, with muffled sound and an open mic at one point. He observed the scene at Robb Elementary School to be very chaotic with vehicles parked everywhere. CPA Owens identified that BORTAC and BORSTAR each have a commander and first-line supervisors for specific elements of each team. For May 24, 2022, these were PAIC [redacted], acting DPAIC [redacted], and SBPA [redacted]. CPA Owens stated that when any incident like an active shooter takes place, USBP partners with local law enforcement or a first responder agency in the jurisdiction. He stated the first responder agency takes command and USBP is there in a support role. CPA Owens stated he responded because of the severity of the incident; normally he would stay at DRT.

PAIC [redacted] (USBP Laredo South Station, Texas), interviewed on February 13, 2023. (Exhibit 69)

On May 24, 2022, PAIC [redacted] was PAIC at the USBP Del Rio Station (DRS), Texas, and was having lunch when the first message came in reporting an active shooter in Uvalde. Later, he was on his way to Eagle Pass, Texas, when a call came in requesting help in Uvalde. PAIC [redacted] changed direction and proceeded toward Uvalde to rendezvous with EMTs. He parked near Robb Elementary School at approximately **1:30:00 PM** and walked to within 50 yards of the school, then heard a radio transmission instructing all USBP personnel to go to UVA for a muster at **2:00:00 PM**. PAIC [redacted] observed that the atmosphere at UVA was chaotic and the muster was emotional. He observed there was no real lead agency or command structure at the school and believed that USBP was there in a support role.

Deputy Patrol Agent in Charge (DPAIC) [redacted] (DRT SOD), interviewed on March 1, 2023. (Exhibit 108)

On May 24, 2022, the acting PAIC informed DPAIC [redacted] of an active shooter situation at a school in Uvalde. DPAIC [redacted] went to the conference room and began to write the information being relayed on a display board. He contacted all SOD BPAs on duty and instructed them to report to Robb Elementary School, then began a group text message with BORTAC and BORSTAR members.

DPAIC [redacted] then left DRT to go to the school to offer supervision and assistance but received a call while enroute that BPA [redacted] had been shot and to the hospital. DPAIC [redacted] went to the Uvalde Memorial Hospital to check on BPA [redacted], arriving there at approximately **1:45:00 PM**. He relieved the other BPAs who were assisting BPA [redacted] and filled out the medical paperwork for BPA [redacted]. After that, he went to UVA for a debrief and told all SOD BPAs that they were free to take a few days of administrative leave. He encouraged them to participate in the USBP-provided Peer Support services and informed them that participation in interviews by TXDPS and the FBI was voluntary.

Because of DRT's distance from Uvalde and the time it would take for them to arrive at the scene, DPAIC [redacted] thought the deployment of USBP assets to the shooting was more of a gesture of support in response to a request from another law enforcement agency. He thought the assailant would be taken care of quickly, but that BORSTAR medical assets could potentially be of assistance. He stated that USBP only responds to requests from other law enforcement agencies as a secondary or backup role to the requesting agency.

ACPA [redacted] (DRT), interviewed on February 28, 2023. (Exhibit 99)

On May 24, 2022, SOS [redacted] called and informed ACPA [redacted] that Peer Support was needed at Robb Elementary School. ACPA [redacted] deployed to Uvalde in a Peer Support role. While enroute, she received a call to report to UVA instead of the school. She arrived there after **2:00:00 PM** and helped provide clean uniforms to everyone and collect the bloodstained uniforms for evidence. She was then asked to go and pick up food for everyone. She comforted an upset BPA and provided him with a clean uniform and emotional support. She departed UVA at approximately **11:00:00 PM**, returned to DRT to pick up her POV, and went home. ACPA [redacted] did not know who was in charge at Robb Elementary School but heard that USBP SOD was in charge or had taken over.

Mission Support Specialist (MSS) [redacted] (DRT), interviewed on March 3, 2023. (Exhibit 126)

On May 24, 2022, Special Operations Supervisor (SOS) [redacted] and Branch Chief [redacted] approached MSS [redacted] and asked if she would be willing to assist as Peer Support with an active shooter situation with mass casualties. MSS [redacted] drove a GOV with emergency equipment activated toward Robb Elementary School while a BPA passenger gathered information via phone. She went to UVA instead of the school, arriving just in time for the **2:00:00 PM** muster. She assisted where she could without interrupting existing conversation

among BPAs. She helped sort piles of uniforms so that agents who responded to the school could change clothes. She also helped organize tables for food and drinks and remained at UVA until approximately **6:30:00 PM**, then returned to DRT and went home.

BPA [redacted] (EGT), interviewed on February 8, 2023. (Exhibit 47)

On May 24, 2022, BPA [redacted] was assigned to the EGT Planning Team and received a phone call from a USBP supervisor asking him to retrieve uniforms from EGT and take them to the Uvalde Border Patrol Station. As part of the Peer Support Program, BPA [redacted] took the uniforms to UVA for BPAs who had blood on their uniforms. He drove to UVA in a USBP vehicle with emergency lights and sirens activated, arriving there at approximately **2:20:00 PM**. At UVA, he assisted with organizing the uniforms in the UVA muster room and prepared food for those who responded. BPA [redacted] indicated BPAs had a duty to assist in any response to the extent needed to ensure the safety of the public and fellow BPAs and that USBP is responsible for protecting lives.

BPA [redacted] (EGT), interviewed on February 8, 2023. (Exhibit 44)

On May 24, 2022, BPA [redacted] was at the USBP Soft Sided Facility in Eagle Pass, Texas, when he received a telephone call from SBPA [redacted] informing him that a shooting had occurred at Robb Elementary School and instructing him to respond to EGT to get a USBP vehicle and respond to UVA. BPA [redacted] traveled alone in the GOV with the emergency lights activated, behind another BPA in a patrol vehicle. He arrived at UVA at approximately **2:40:00 PM** and helped by getting food and water. He made himself available as a Peer Support Member, then returned to Eagle Pass after another Peer Support Coordinator arrived. BPA [redacted] believed USBP's role was to respond and help at the incident location.

SOS [redacted] (DRT SIU), interviewed on February 8, 2023. (Exhibit 48)

On May 24, 2022, SOS [redacted] was assigned to the Sector Intelligence Unit (SIU) in Del Rio, Texas, when he received a text message from PAIC [redacted] (DRT) about a shooting at a school in Uvalde. Upon receiving the text, SOS [redacted] walked from the SIU to the Border Intelligence Center (BIC), where he heard additional information over the radio. Initially SOS [redacted] remained at the BIC in Del Rio, assisting law enforcement efforts on the ground in Uvalde by querying license plates via radio and answering phone calls to uncover useful information about the assailant and any possible associates. A BPA at EGS requested SOS [redacted] respond to UVA as a Peer Support Member. SOS [redacted] traveled there alone in an unmarked USBP vehicle, not using the emergency lights or sirens, and arrived at approximately **3:00:00 PM**. He coordinated with other members of the Peer Support Team at UVA for several hours. SOS [redacted] stated it was USBP's responsibility to respond based on a general duty of law enforcement officers to protect lives and make arrests for felonies committed in their presence.

BPA [redacted] (CAR), interviewed on February 8, 2023. (Exhibit 52)

On May 24, 2022, BPA [redacted] was working as a K9 handler at CAR when a coworker told him the news of the shooting. Shortly after that, he received a phone call from his Peer Support Coordinator, who advised him to respond to Robb Elementary School. BPA [redacted] drove to Uvalde in his K9 patrol vehicle. While enroute, he received a phone call to respond to the Uvalde Border Patrol Station, where he arrived at approximately **3:00:00 PM**. There, he identified arriving BPAs who looked distraught and offered to speak with them regarding their experience. BPA [redacted] stated that USBP's role was to provide assistance as law enforcement officers wherever needed.

BPA [redacted] (DRS), interviewed on February 13, 2023. (Exhibit 68)

On May 24, 2022, BPA [redacted] was on his way to work at DRS when he received a phone call from Watch Commander [redacted] asking if he was willing to travel to UVA as a Peer Support Member. BPA [redacted] retrieved his unmarked patrol vehicle from DRS and traveled alone to UVA without lights or siren. He arrived at UVA at approximately **3:15:00 PM** and proceeded to the UVA muster room where he waited for BPAs to approach him for assistance, rather than seeking them out. He believed USBP's role was to respond and provide assistance.

CBP Officer (CBPO) [redacted] (Del Rio Port of Entry, Del Rio, Texas), interviewed on February 13, 2023. (Exhibit 65)

On May 24, 2022, CBPO [redacted] was on detail to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) as an Analytical Targeting Officer (ATO) when she received text messages on her ATF-issued phone that there was an active shooter. She completed her [redacted] shift and went home, where she heard that blood donations were needed and requested permission to respond. CBPO [redacted] drove her POV to the Civic Center, arriving there at approximately **4:00:00 PM**, where she was advised that blood was not needed, so she returned home. CBPO [redacted] stated that there did not appear to be any agency in charge at the Civic Center.

BPA [redacted] (COM), interviewed on February 16, 2023. (Exhibit 92)

On May 24, 2022, BPA [redacted] was scheduled to work at COM from [redacted]. He attended the COM muster, where he learned what had happened at Robb Elementary School. A supervisor instructed him to get two boxes of USBP uniforms and take them to UVA. He drove in a marked USBP vehicle without activating the emergency equipment and arrived at UVA at approximately **4:00:00 PM**. After delivering the uniforms, he headed back to COM and passed the Civic Center, where he saw other BPAs. He stopped in the parking lot to determine if anyone needed relief. No one did, so he continued to COM. BPA [redacted] stated that USBP has a responsibility to respond to active shooter situations because they are usually the first law enforcement agency to arrive on scene. If another agency were already there, USBP would assist in any way possible.

PAIC [redacted] (EGS), interviewed on February 14, 2023. (Exhibit 71)

On May 24, 2022, PAIC [redacted] learned of the shooting from WC [redacted], who had received a message about it from his spouse. PAIC [redacted] activated WC [redacted] and BPA [redacted] to provide EMT services and Peer Support. PAIC [redacted] patrolled an area near Kennedy Elementary School in Eagle Pass, Texas, and provided security at a middle school to assist with parents picking up children. Later, he traveled to UVA to bring clean uniforms, arriving there between **4:00:00 PM** and **5:00:00 PM**. PAIC [redacted] stated that USBP is the largest law enforcement entity in the area and will provide any support when needed.

SBPA [redacted] (USBP Falfurrias Station, Falfurrias, Texas), interviewed on March 22, 2023. (Exhibit 211)

On May 24, 2022, SBPA [redacted] was serving as the administrative supervisor assigned to UVA when he heard a transmission on the radio that there was an armed subject running toward Robb Elementary School. SBPA [redacted] requested a repeat of the radio transmission to confirm what he heard, then requested the radio channel be cleared of all other traffic. He requested BPAs to respond to Robb Elementary School, while he himself remained at UVA and did not respond to Uvalde.

As the only person left at UVA, he fielded phone calls, maintained accountability of assets, and coordinated various requests. He requested a radio patch via sector communications and handed out rifles from the armory as BPAs were deploying. He maintained a list of personnel who were in the field and coordinated availability of uniforms for BPAs who needed a change of clothes, as well as water to the field and food for BPAs reporting to the station. SBPA [redacted] stayed in constant communication with the BIC at DRT and requested the BIC contact other stations to request assistance. He assisted with obtaining information about BPA-I [redacted]'s involvement with the initial stages of the incident and initiated the Evolving Situation Report.

SBPA [redacted] did not know who was in command at Robb Elementary School. He stated that USBP's response and presence was in a support capacity to the local or state law enforcement entities who had peace officer status.

PAIC [redacted] (DRS), interviewed on February 16, 2023. (Exhibit 86)

On May 24, 2022, PAIC [redacted] was acting Division Chief of Operations ((A)DCO) at Del Rio Sector (DRT). (A)DCO [redacted] was at lunch when he received several phone calls indicating something was going on in Uvalde related to an active shooter. He did not respond to Uvalde. Rather, he remained in Del Rio, where he established a makeshift emergency operations center between the radio room and, which acted as a conduit for incoming information. He facilitated information flow, notifications, and resource management from outside DRT and with headquarters in Washington, DC. He relayed a request for vital resources to USBP Big Bend Sector and USBP Laredo Sector, including manpower and resiliency teams. At approximately **12:47:00 PM,** he received a message that the Hillcrest Funeral Home was the incident command post and put out a directive for all EMTs to activate and respond to that location.

SOS [redacted] (DRT SOD), interviewed on March 22, 2023. (Exhibit 215)

On May 24, 2022, SOS [redacted] was on duty at the Border Intelligence Center at DRT overseeing the Collections Unit for Intelligence and Confidential Human Sources when he heard radio chatter regarding an active shooter at a school in Uvalde. He then received a call from SBPA [redacted] advising that there was an active shooter at an elementary school in Uvalde. SOS [redacted] granted permission for SBPAs to respond to Robb Elementary School while he himself remained in Del Rio and did not respond to Uvalde. He told them to wear their body armor for easy identification. He tasked his team to contact their sources for information regarding the assailant, but the sources did not provide any usable intelligence. SOS [redacted] stated that his role was to oversee SBPA [redacted] and ensure the safety of BPA-I [redacted] and USBP's role was to respond and assist other law enforcement agencies.

WC [redacted] (CAR), interviewed on February 15, 2023. (Exhibit 78)

On May 24, 2022, WC [redacted] heard about the incident over a radio channel that scans the local police channels. He contacted DPAIC [redacted], who instructed WC [redacted] to stand down and not send any personnel. Later, WC [redacted] received a call to deploy personnel, so he deployed three SBPAs while he himself remained in Carrizo Springs and did not respond to Uvalde. He believed the purpose of an active shooter response was to eliminate any threats posed by the active shooter.

SOS [redacted] (DRT), interviewed on February 15, 2023. (Exhibit 82)

On May 24, 2022, SOS [redacted] was the supervisor over the Professional Standards Branch (PSB), Management Inquiry Team at DRT. While on his way to Eagle Pass, Texas, from Del Rio, SOS [redacted] received a phone call asking what he knew about an active shooter at Robb Elementary School. He was initially not instructed to go to Uvalde, but then decided to return to DRT when others in his chain of command went. SOS [redacted] got rifles for the other agents who went to Uvalde while he himself remained in Del Rio and did not respond to Uvalde. At DRT, he ran the PSB and performed hourly safety checks on his team. SOS [redacted] indicated that USBP is always called on to assist local law enforcement because USBP has more assets and better trained personnel. He believed USBP had a duty to respond to an active shooter.

Executive Officer (XO) [redacted] (DRT), interviewed on March 15, 2023. Exhibit 179)

On May 24, 2022, XO [redacted] was about to have lunch when he received a call from the acting PAIC for SOD at DRT informing him that there was an active shooter at or near a school in Uvalde and that they were deploying to Uvalde. XO [redacted] gave authority to the BORTAC and BORSTAR unit personnel to respond and support local law enforcement. XO [redacted] returned to DRT, where he remained and did not respond to Uvalde. He began trying to coordinate the USBP response and remained in contact with PAIC [redacted], DPAIC [redacted], and (A)PAIC [redacted], serving as the conduit for information flow to USBP Headquarters in Washington, DC. Either XO [redacted] or PAIC [redacted] authorized the deployment of USBP personnel to other schools to provide support upon receiving information about a second threat.

Initially, XO [redacted] understood the situation to be an active shooter, but it later changed to a barricaded subject. XO [redacted] believed the command structure on scene was DPAIC [redacted] serving as incident commander until relieved by PAIC [redacted] in coordination with local and state law enforcement. XO [redacted] stated that USBP's role was to provide support to the local law enforcement agencies and USBP's authority to respond to an active shooter was to protect the public and prevent further loss of life, especially if a felony was committed in the presence of a federal law enforcement officer.

SBPA [redacted] (USBP Artesia, New Mexico), interviewed on February 15, 2023. (Exhibit 83)

On May 24, 2022, SBPA [redacted] was serving as a BPA and Firearms Instructor at the USBP Del Rio Sector (DRT) firearms range, when a visiting firearms instructor notified him of a possible active shooter at a school in Uvalde. While other firearms instructors equipped themselves with rifles and body armor and departed the DRT range for Uvalde, BPA [redacted] stayed behind to manage the ongoing CBP firearms qualifications at the range. He did not respond to Uvalde.

WC [redacted] (COM), interviewed on March 14, 2023. (Exhibit 173)

On May 24, 2022, WC [redacted] was assigned as the Deputy Incident Commander to the DRT Incident Command Post, where he was responsible for managing logistics and assets associated with an ongoing migrant surge. He learned of the shooting at Robb Elementary School from a BPA as he entered the DRT conference room. WC [redacted] remained in Del Rio and did not respond to Uvalde. He collected and coordinated SOD assets and personnel who would respond to Robb Elementary School with the acting PAIC and DPAIC. He expressed concern regarding USBP overcrowding at the scene, then relocated to the BIC to centralize information gathering. He called all USBP stations within the DRT to collect information on personnel and assets that were deployed to Robb Elementary School. WC [redacted] did not know if the scene was live or if it was a false call, but he treated it as a potential active shooter situation. He stated that USBP always assists state and local law enforcement when requested but acts in only a secondary capacity. He believed USBP did not have authority to take control of an active shooter situation but had a duty as federal agents to respond and assist. He was not aware of the command structure for USBP at the school.

SBPA [redacted] (BRA), interviewed on February 16, 2023. (Exhibit 88)

On May 24, 2022, SBPA [redacted] was the duty supervisor at BRA and heard about the incident at Robb Elementary School while listening to radio communications between BPAs and the USBP AMO helicopter pilot flying in the BRA area of responsibility. SBPA [redacted] called UVA and learned that the incident was a school shooting and inquired if UVA needed anything. He dispatched BRA EMTs and brush crew BPAs to Uvalde, while he himself remained in Brackettville and did not respond to Uvalde. He relayed information he received to the personnel he dispatched. When Robb Elementary School was going to begin moving children out of the school and to the Civic Center, he redirected some of the BPAs to the Civic Center and directed other BPAs to assist with checkpoint duties at the USBP checkpoint near Uvalde. He redirected BPAs and EMTs to wherever WC [redacted] needed them and made calls

and status checks to make sure they were alright. SBPA [redacted] did not know who from USBP may have been in command in Uvalde and stated that he served as the point of contact at BRA for BPAs.

PAIC [redacted] (DRT), interviewed on March 23, 2023. (Exhibit 214)

On May 24, 2022, PAIC [redacted] had oversight of the Border Intelligence Center and Radio Room 920-Communication Center. He was having lunch with a group when someone in the group received a call informing them of a possible shooting in Uvalde. After lunch, he returned to the BIC radio room to validate the information, assist with any reporting, and allocate resources. He ensured staff assigned a scribe, created an accurate timeline, conducted research to identify the assailant, and identified the area of the incident to provide a map to personnel responding to the scene. He ensured that radio communications were monitored and information was disseminated to the field. Upon the BIC receiving information that the assailant's girlfriend made a threat at another location, he worked to identify the girlfriend and provide information to other law enforcement agencies.

PAIC [redacted] remained in Del Rio and did not respond to Uvalde. He did not respond to the school because he knew there would be enough resources deployed. He stated that the BIC was the USBP incident command for reporting and communication flow. During the incident, he was informed that there was a radio broadcast or discussion regarding individuals at the scene asking for keys and having difficulty getting through the doors.

PAIC [redacted] stated that USBP protocol is to respond to critical incidents and that it is common for local law enforcement agencies to request assistance from USBP because of the manpower and skills USBP has in comparison to small agencies. PAIC [redacted] stated that the role USBP would assume was based on the situation. He believed DPAIC [redacted] was initially in charge at the scene but had been relieved upon leadership learning that he had a child at Robb Elementary School. PAIC [redacted] did not know what agency was in command of the overall law enforcement response but did know that USBP's role was to provide support and assist local law enforcement agencies.

BPA [redacted] (UVA), interviewed on February 28, 2023. (Exhibit 96)

On May 24, 2022, BPA [redacted] was assigned to the UVA radio room, where he learned that the Uvalde Police Department was in pursuit of an unknown individual. Radio communications indicated that the individual crashed his vehicle near Robb Elementary School. Then BPA [redacted] began receiving calls from DRT and BRA asking if agents were needed to assist with the unfolding situation. BPA [redacted] instructed BRA and DRT not to send agents at that time, then learned from UPD radio transmissions that shots were being fired at the school. He observed other BPAs checking out M4 rifles in preparation to respond and received a call from UPD requesting USBP assistance at Robb Elementary School at approximately **11:45:00 AM**.

BPA [redacted] remained at UVA and did not respond to Robb Elementary School. He received numerous calls from media outlets requesting information about the evolving incident and

referred all media inquiries to the DRT Public Information Officer. He received calls from BRA and DRT and instructed both to send all available assets to Robb Elementary School. BPA [redacted] believed that UPD was handling the situation. He perceived the radio traffic to be very unorganized and chaotic and observed an open mic for 1–3 minutes. Based on the radio traffic, it sounded like a barricaded subject at the school. He understood UPD to be in charge and he stated that USBP's role at the school was to provide assistance to the local police department.

SOS [redacted] (CAR), interviewed on February 15, 2023. (Exhibit 81)

On May 24, 2022, SOS [redacted] was attending a meeting with an oil field company and other USBP personnel, two of whom received a text message and phone call about the incident in Uvalde. PAIC [redacted] (CAR) told SOS [redacted] that no response was needed, so SOS [redacted] remained in Carrizo Springs and did not respond to Uvalde. SOS [redacted] stated that USBP's role was backup because of the time it would take to respond and that their responsibility was to protect the public.

DPAIC [redacted] (DRT BIC), interviewed on March 15, 2023. (Exhibit 180)

On May 24, 2022, DPAIC [redacted] was in the prosecutions building when he received a text message from PAIC [redacted] regarding a possible active shooter at Robb Elementary School. He received another text a few minutes later confirming the active shooter situation. DPAIC [redacted] remained in Del Rio and did not respond to Uvalde. He returned to the BIC and went to the radio room. He knew he was responsible for ensuring that all recordings were captured, that a timeline was initiated and maintained, and that all his staff at the BIC, UVA, and other USBP stations were accounted for.

He alternated between the BIC and the radio room to ensure the timeline was maintained with incoming information from the scene. He asked (A)PAIC [redacted] if BORTAC was responding and learned they were 30 minutes away. DPAIC [redacted] assigned Law Enforcement Information System Specialist (LEISS) [redacted] as the scribe to record the timeline of events. He requested to patch the USBP radio communication with the police department and other agencies they could patch with, specifically the UCSO and TXDPS. He assigned SOS [redacted] and WC [redacted] to conduct research on the assailant and obtain information from social media platforms. DPAIC [redacted] questioned who the onsite incident commander was, but no one was able to provide an answer.

He asked the radio room to identify the source of the "hot mic" so the BIC could relay the information to the source. He asked LEISS [redacted] if she could override the "hot mic," but she was unable to. Later, the BIC identified the source and relayed the information to a BORTAC member to make the person aware.

DPAIC [redacted] continuously received information and shared information. The BIC identified the assailant, created a "lookout" with information and a photograph of him, and disseminated the information to the field and USBP personnel at the scene. He instructed his staff not to send

anyone to Robb Elementary School because resources needed to be managed to address and respond to incoming information.

DPAIC [redacted] explained that the BIC became the Sector's incident command center with (A)DC [redacted] as the incident commander because he was the highest ranking USBP official present. DPAIC [redacted] did not believe anyone was in command of USBP personnel at the school but understood he was part of the command staff in charge of what was being coordinated at the BIC and radio room. He identified that TXDPS requested BORTAC to respond and stated that BORTAC and BORSTAR are always ready to support state and local law enforcement agencies.

DPAIC [redacted] stated that it was chaotic managing the information and misinformation received, including conflicting threat and no-threat information from Sheriff's dispatchers. He encountered difficulty with school staff when attempting to corroborate the assailant's biographical and previous enrollment information. DPAIC [redacted] identified that DRT has MOUs with other federal law enforcement agencies, but not with any with state or local agencies. He understood USBP's authority and responsibility to respond was in a support role unless told otherwise and stated that no one at the BIC was able to identify a specific person or agency who was in charge at the scene.

WC [redacted] (DRT), interviewed on February 13, 2023. (Exhibit 66)

On May 24, 2022, WC [redacted] was serving in an acting capacity as the Acting Chief of the Training and Traumatic Incident Management Branch. She received multiple phone calls from people regarding the situation in Uvalde and a text message from another agent saying they were enroute to UVA. WC [redacted] notified EMT BPAs of the need for them to report to Uvalde, while she stayed at DRT to field incoming calls and communicate activation messages as required. She did not respond to Uvalde. WC [redacted] gathered clean uniforms for people who had responded. She activated the Mission Support Specialist and an SBPA for Peer Support assistance. WC [redacted] stated that USBP responded to assist other law enforcement agencies in a support capacity and that nothing was reported about who had command or control of the situation.

SUBJECT MATTER EXPERTS

OPR interviewed CBP subject matter experts in the fields of NIMS and ICS protocols and active shooter training. The following is a summary of each of OPR's interviews with these CBP personnel:

ACPA [redacted] (Director, National Firearms and Tactics Branch, LESC), interviewed on August 10, 2023. (Exhibit 228)

On May 24, 2022, ACPA [redacted] was the Director of the LESC Pre-Deployment Branch. He was located in Harpers Ferry, Virginia, and did not respond to Uvalde. ACPA [redacted] explained that the Active Shooter Instructor Training Program (ASITP) was developed in 2009 and added

to the basic Firearms Instructor Training Program in 2019. It is a principle-based, scenario-based program that emphasizes the use of cover, positioning, team movements, and clearing rooms, all focused on tactics. The training was discontinued in 2020 because of a lack of requests, but was restarted in 2021 based on USBP leadership's request. The content was updated to include clearing "L" and "T" intersections, shoot/no-shoot situations, and safe weapon handling skills. The training does not teach hostage negotiation tactics or what to do in hostage situations and provides no practical applications or scenarios regarding the differences between active shooter and barricaded subject. ACPA [redacted] stated that the training provides complex subject matter regarding closed and locked doors, as well as threat prioritization focusing first on people, then open doors, then closed doors. ACPA [redacted] explained that the course teaches that a response to an active shooter incident is broken into two parts: a contact team and a rescue team. The contact team focuses on the primary mission of stopping the threat while the rescue team comes behind the contact team, focusing on the medical triage. The training lacks any instructional content for breaching locked doors, medical triage, or what responders should do once an active shooter is neutralized.

ACPA [redacted] stated that USBP's legal authority to respond to active shooter situations is convoluted. He explained that LESC and OCC have been working with Congress regarding legislation to provide CBP specific authority, but that most of the existing authority to respond is based on past practices of supporting local and state law enforcement agencies. Students are instructed that the first person on scene must pick up incident command and take control until someone with more rank or experience arrives and takes over. ASITP focuses on CBP being first to arrive; it does not discuss what to do if other agencies arrive first or if CBP observes a lack of response from other agencies.

Branch Chief (BC) [redacted] (CBP Watch, Incident Management Branch), interviewed on August 7, 2023. (Exhibit 227)

BC [redacted] is located in Washington, DC, and did not respond to Uvalde. He explained that the National Incident Management System (NIMS) is a doctrinal standard or baseline that allows different agencies responding to incidents to operate in a common, consistent way. He explained that ICS is a part of NIMS that allows the sharing of information and resources with all responding agencies at all levels. He identified that CBP offers training on NIMS and ICS protocols through Acadis, CBP's distance learning platform, but more training is needed across CBP in both areas. BC [redacted] stated that the main principle of ICS is that incidents start and end locally. The first person on scene is the incident commander until others who are more capable arrive, then the role can be turned over as the situation dictates. He explained that chaos will result in a situation where no one takes charge or follows ICS protocols.

PERSONNEL NOT INVOLVED

In the interest of thoroughness, OPR interviewed all CBP personnel identified during interviews as potentially being a part of the CBP response to the events on May 24, 2022. The following is a summary of OPR's interviews with people whom OPR determined did not respond to Robb Elementary School or other activities on May 24, 2022:

DPAIC [redacted] (UVA), interviewed on February 16, 2023.

On May 24, 2022, DPAIC [redacted] was on a temporary assignment to Puerto Rico for USBP oral hiring boards and did not respond to Uvalde. While in Puerto Rico, he received a text from [redacted] about the Robb Elementary School incident. He contacted WC [redacted] (UVA) and learned additional information about the incident, then contacted [redacted] by phone to help calm her down. He believed the active shooter situation was later determined to be a barricaded subject.

SA [redacted] (OPR Del Rio), interviewed on July 19, 2023.

On May 24, 2022, SA [redacted] was on leave in San Antonio, Texas, when he saw news on TV at a doctor's office about the incident at Robb Elementary School. After returning to his home in Del Rio, Texas, he called acting Resident Agent in Charge ((A)RAC) [redacted] around **5:30:00 PM** and inquired if (A)RAC [redacted] wanted SA [redacted]'s assistance. (A)RAC [redacted] said yes, so SA [redacted] retrieved his gear and drove his GOV to Uvalde, arriving at Robb Elementary School and reporting to the incident command center around **8:00:00 PM**. SA [redacted] was there for about five to ten minutes before being directed to go to UVA and await further instructions. He departed UVA at **12:30:00 AM**.

SA [redacted] (OPR Protective Operations Branch), interviewed on July 24, 2023.

On May 24, 2022, SA [redacted] was assigned to OPR Del Rio and was out of state on approved leave. He did not respond to Uvalde. He learned of the Robb Elementary School incident the following day on the news and checked his government phone for any messages related to the incident but there were none.

APPENDIX II: BORTAC SUMMARY

The following section includes the communications between BORTAC members through text messages and other third-party applications during the incident at Robb Elementary School. Sending a message to the group thread does not necessarily indicate it was received, read, or understood by other members in the thread. This section also includes the final positions of BORTAC members in and around Robb Elementary School at **12:50:00 PM**, when the entry team breached Classroom 111 and 112.

RESPONDING BORTAC MEMBER COMMUNICATIONS 11:44:00 AM – 12:21:00 PM

TIME	FROM	TO	DESCRIPTION
11:44:00 AM	[redacted]	BORTAC MANAGEMENT	"Get everyone to Robb school in Uvalde. There's a possible/ shooting guy with AK/AR."
11:45:00 AM	[redacted]	BORTAC MANAGEMENT	"Barricaded subject is what their calling it."
11:45:00 AM	[redacted]	BORTAC MANAGEMENT	"Robb elementary near Hwy 83."
11:47:00 AM	[redacted]	Admin iPhones	"Get everyone to Robb school in Uvalde. There's a possible/ shooting guy with AK/AR."
11:47:00 AM	[redacted]	BORTAC Field Guys	"Uvalde guys, heard there's a possible school shooting, Robb elementary"
11:47:00 AM	[redacted]	BORTAC Field Guys	"Start rolling [redacted]"
11:48:00 AM	[redacted]	Admin iPhones	"They say he's barricade."
11:48:00 AM	[redacted]	Admin iPhones	"That's [redacted] school!"
11:50:00 AM	[redacted]	Admin iPhones	"10-13"
11:51:00 AM	[redacted]	Admin iPhones	"13"
11:51:00 AM	[redacted]	Admin iPhones	"13"
11:55:00 AM	[redacted]	Admin iPhones	"Yes"
11:56:00 AM	[redacted]	BORTAC MANAGEMENT	"[redacted] should be bringing Bearcat. I'm heading over ther."
11:59:00 AM	[redacted]	Admin iPhones	"Scan uva 6. A lot of kids and family's in scene."
11:59:00 AM	[redacted]	Del Rio Stash House Op (Whatsapp)	"USMS On the way as well"
12:01:00 PM	[redacted]	Admin iPhones	"In route"
12:03:00 PM	[redacted]	Admin iPhones	"Rifle with 2 back packs is what they say"
12:04:00 PM	[redacted]	Admin iPhones	"[redacted] and I are on 131"

12:04:00 PM	[redacted]	Admin iPhones	"[redacted] let me know when you on blacktop"
12:07:00 PM	[redacted]	Admin iPhones	"I'm in scene trying to figure this out."
12:07:00 PM	[redacted]	Admin iPhones	 "Subject is on the other side of this building. This is the south side of the school. No one hurt at this time so far. Has been taking pop shots here and there. Come in through w. Cargil street. Other things roads closed."
12:09:00 PM	[redacted]	SOD Management	"40mins for most of the BTC element"
12:11:00 PM	[redacted]	Admin iPhones	[redacted] added [redacted] to the conversation.
12:14:00 PM	[redacted]	Admin iPhones	"[redacted] we are on 90"
12:14:00 PM	[redacted]	Admin iPhones	"X4 good deal"
12:15:00 PM	[redacted]	Admin iPhones	"Radio put out shooter has 30 magazines loaded"
12:15:00 PM	[redacted]	Admin iPhones	Whatsapp thread screenshot: 12:13 PM DPS-[redacted]: "T4"12:13 PM +1 [redacted]': They are saying in the SRT chat. Room 411 west building12:13 PM +1 [redacted]': "T4"12:13 PM [redacted] "HSI SRT en route as welll"12:14 PM DPS-[redacted]: "Some kids are still inside"+1 [redacted]': "Let's try and get a location that room so units arriving aren't..."
12:20:00 PM	[redacted]	Admin iPhones	"Here opposite of you [redacted]"

RESPONDING BORTAC MEMBER COMMUNICATIONS 12:21:00 PM – 12:50:00 PM

TIME	FROM	TO	DESCRIPTION
12:26:00 PM	[redacted]	Admin iPhones	
12:27:00 PM	[redacted]	Admin iPhones	"Guy is taking shots at the door. He has multiple children in there. Door is locked."
12:29:00 PM	[redacted]	Admin iPhones	"PAs breaching window."
12:29:00 PM		Admin iPhones	"1 child shot"
12:31:00 PM		Admin iPhones	"We need to dump gas in that window if possible"
12:31:00 PM	[redacted]	Admin iPhones	"SO has gas here in the hall way."
12:33:00 PM	[redacted]	Admin iPhones	"Gonna gas this kids?"
12:39:00 PM	[redacted]	Admin iPhones	"I'm here [redacted]. Looking for ya'll"
12:40:00 PM	[redacted]	Admin iPhones	"[redacted] he's on the 7th window from the south side of the building"

RESPONDING BORTAC MEMBER COMMUNICATIONS 12:50:00 PM – 2:48:00 PM

TIME	FROM	TO	DESCRIPTION
12:58:00 PM	[redacted]	Admin iPhones	"I'm gonna catch a ride to the hospital"
12:59:00 PM	[redacted]	Admin iPhones	FaceTime Call Ended

1:00:00 PM	[redacted]	Admin iPhones	"Subject dead. Multiple injuries"
1:25:00 PM	[redacted]	Admin iPhones	"FYI I am at Uvalde hospital. I am good"
1:46:00 PM	[redacted]	Admin iPhones	"Everyone that was in the hall way when we made entry, we need front a back pics in full kit. [redacted] will get urs later."
1:47:00 PM	[redacted]	Admin iPhones	"Besides [redacted] and [redacted], was anyone else around?"
1:49:00 PM	[redacted]	Admin iPhones	"[redacted] [redacted] and I on not till they were rushing kids out"
2:13:00 PM	[redacted]	Admin iPhones	"Head back to school and setup perimeter. Girlfriend said she's going to shoot it up. Setup perimeters"
2:15:00 PM	[redacted]	Admin iPhones	"If nothing else, DPS wants to talk to us."
2:17:00 PM	[redacted]	Admin iPhones	"Let's get half at civic center and half at school. If you were involved at the school head that way. If I just hit here got to civic center."
2:19:00 PM	[redacted]	Admin iPhones	"OK roll to high school ."
2:20:00 PM	[redacted]	Admin iPhones	"Going to the high school"
2:27:00 PM	[redacted]	Admin iPhones	[picture of assailant] "Possible I'd"
2:27:00 PM	[redacted]	Admin iPhones	"That looks like the guy we just handled"
2:29:00 PM	[redacted]	Admin iPhones	"Ok, came from pd"
2:48:00 PM	[redacted]	Admin iPhones	"Taking [redacted] with me to PD. For pics/debrief"

FINAL BORTAC POSITIONS UPON BREACH

1. SBPA [redacted], BPA [redacted], and BPA [redacted] were in the hallway of the west building outside the door of Classroom 111.
2. BPA [redacted] was near the courtyard east of the west building.
3. BPA [redacted] was near the southeast corner of the west building.
4. SBPA [redacted], BPA [redacted], BPA [redacted], and BPA [redacted] were at the Hillcrest Memorial Funeral Home.

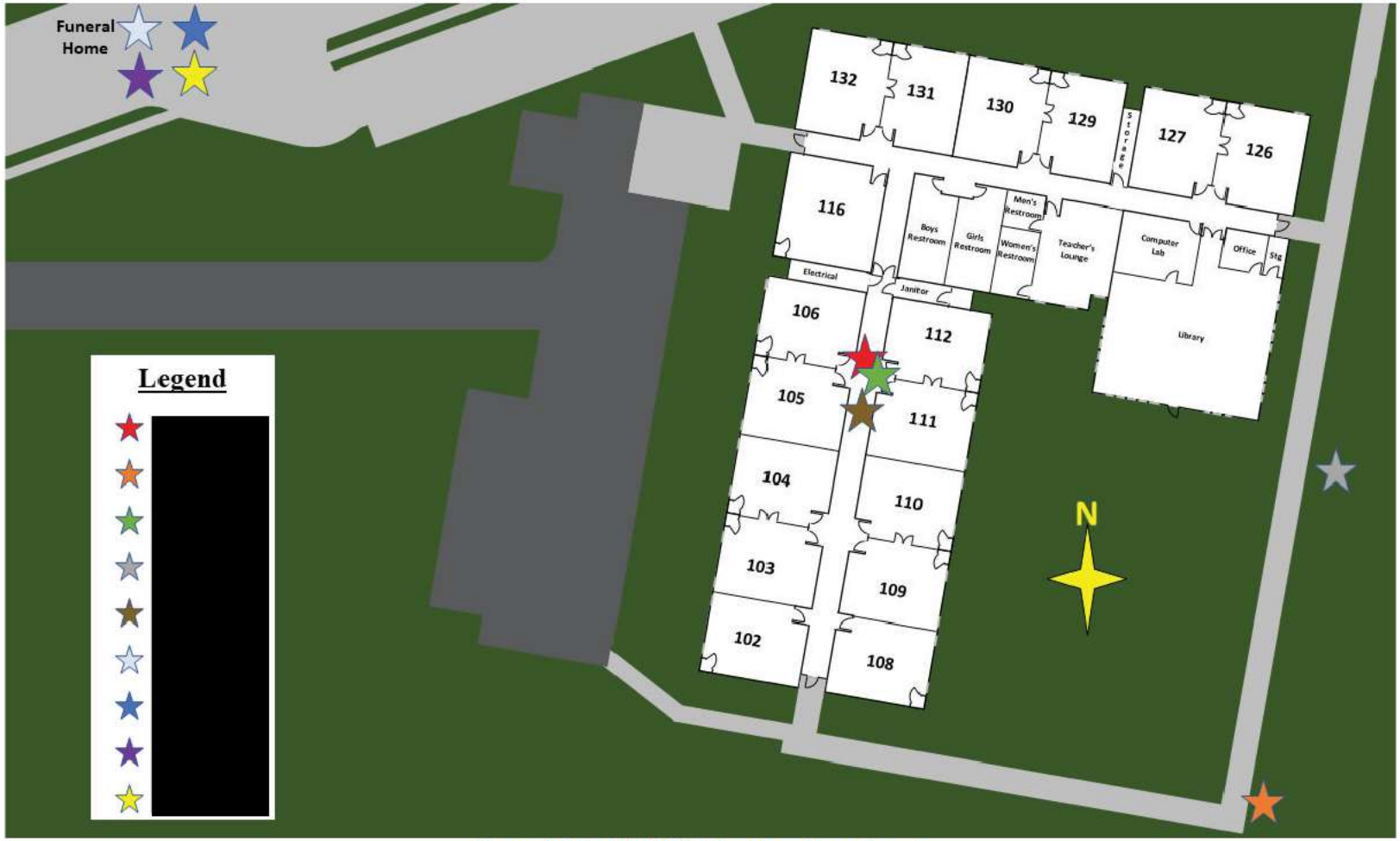


Figure 17. Final BORTAC Positions Upon Breach

EXHIBITS

EXHIBIT	DESCRIPTION
1	U.S. Department of Homeland Security, Management Directive 0810
2	Texas House of Representatives Investigative Committee on the Robb Elementary Shooting, Interim Report 2022
3	Advanced Law Enforcement Rapid Response Training (ALERRT) Robb Elementary School Attack Response Assessment and Recommendations, June 2022
4	U.S. Department of Justice, Office of Community Oriented Policing Services, Rescue, Response, and Resilience: A critical incident review of the Orlando public safety response to the attack on the Pulse nightclub, 2017
5	U.S. Department of Justice, Office of Community Oriented Policing Services, Critical Incident Review: Active Shooter at Robb Elementary School, 2024
6	U.S. Census Bureau Data, Uvalde City, TX (2022)
7	CBP e3 database of G-166 events where bailouts were reported
8	CBP Standards of Conduct, Directive Number 51735-013B
9	CBP Use of Force Policy, Publication Number 4500-002A
10	The Law of Search Manual: The Law of Arrest, Search & Seizure Manual, M-69
11	ALERRT & FBI Active Shooter Response – Level 1, Version 7.2
12	Active Shooter Instructor Training Program, Instructor Guidebook
13	CBP Incident Management / Operations Support, CBP LFC Course
14	Excerpts from Program Syllabus for U.S. Border Patrol Integrated (USBPI) Training Program
15	Model Uniform Core Criteria (MUCC) for Mass Casualty Incident Triage, National Highway Traffic Safety Administration
16	2021 National Emergency Medical Services Education Standards, National Highway Traffic Safety Administration
17	Legal Differences Between Certification and Licensure, NREMT website
18	Memorandum from Office of Health Security Director of Emergency Medical Services to U.S. Border Patrol National EMT Program Manager, October 14, 2022
19	TXDPS Voluntary Statement from TXDPS Ranger [redacted]
20	TXDPS Voluntary Statement from ZCSO Deputy [redacted]

EXHIBIT	DESCRIPTION
21	TXDPS Interview Synopsis UCISDPD Lieutenant [redacted], May 25, 2022
22	TXDPS Interview Synopsis of [redacted], May 27, 2022
23	TXDPS Interview Synopsis of [redacted], June 11, 2022
24	TXDPS Interview Synopsis of [redacted], June 3, 2022
25	Video Timestamp Offsets
26	Video of the Static Camera at the T-Intersection of Robb Elementary School
27	Video of the Static Camera at Hillcrest Memorial Funeral Home
28	Video of Cell Phone Video Footage from [redacted]
29	Video of Body Worn Camera Footage from Constable Zamora
30	Video of Body Worn Camera Footage from TPWD Game Warden [redacted]
31	Video of Body Worn Camera Footage from UPD Officer [redacted]
32	Video of Body Worn Camera Footage from TXDPS Trooper [redacted]
33	Video of Body Worn Camera Footage from TXDPS Trooper [redacted]
34	Video of Body Worn Camera Footage from UPD Sergeant [redacted]
35	Video of Body Worn Camera Footage from UCSO Deputy [redacted]
36	IAR regarding interview of BPA [redacted]
37	IAR regarding interview of BPA [redacted]
38	IAR regarding interview of BPA [redacted]
39	IAR regarding interview of BPA [redacted]
40	IAR regarding interview of BPA [redacted]
41	IAR regarding interview of BPA-T [redacted]
42	IAR regarding interview of BPA [redacted]
43	IAR regarding interview of BPA-T [redacted]
44	IAR regarding interview of BPA [redacted]
45	IAR regarding interview of BPA [redacted]
46	IAR regarding interview of BPA-T [redacted]
47	IAR regarding interview of BPA [redacted]
48	IAR regarding interview of SOS [redacted]
49	IAR regarding interview of BPA [redacted]
50	IAR regarding interview of BPA [redacted]
51	IAR regarding interview of BPA [redacted]

EXHIBIT	DESCRIPTION
52	IAR regarding interview of BPA [redacted]
53	IAR regarding interview of BPA [redacted]
54	IAR regarding interview of WC [redacted]
55	IAR regarding interview of BPA-P [redacted]
56	IAR regarding interview of BPA [redacted]
57	IAR regarding interview of BPA [redacted]
58	IAR regarding interview of PAIC [redacted]
59	IAR regarding interview of SCBPO [redacted]
60	IAR regarding interview of SBPA [redacted]
61	IAR regarding interview of WC [redacted]
62	IAR regarding interview of BPA-P [redacted]
63	IAR regarding interview of SA [redacted]
64	IAR regarding interview of SBPA [redacted]
65	IAR regarding interview of CBPO [redacted]
66	IAR regarding interview of WC [redacted]
67	IAR regarding interview of CBPO [redacted]
68	IAR regarding interview of BPA [redacted]
69	IAR regarding interview of PAIC [redacted]
70	IAR regarding interview of ACPA [redacted]
71	IAR regarding interview of (A) PAIC [redacted]
72	IAR regarding interview of BPA-I [redacted]
73	IAR regarding interview of WC [redacted]
74	IAR regarding interview of WC [redacted]
75	IAR regarding interview of SBPA [redacted]
76	IAR regarding interview of SBPA [redacted]
77	IAR regarding interview of SBPA [redacted]
78	IAR regarding interview of WC [redacted]
79	IAR regarding interview of BPA [redacted]
80	IAR regarding interview of SBPA [redacted]
81	IAR regarding interview of SOS [redacted]
82	IAR regarding interview of SOS [redacted]
83	IAR regarding interview of SBPA [redacted]

EXHIBIT	DESCRIPTION
84	IAR regarding interview of SBPA [redacted]
85	IAR regarding interview of DPAIC [redacted]
86	IAR regarding interview of PAIC [redacted]
87	IAR regarding interview of BPA [redacted]
88	IAR regarding interview of SBPA [redacted]
89	IAR regarding interview of BPA [redacted]
90	IAR regarding interview of BPA [redacted]
91	IAR regarding interview of WC [redacted]
92	IAR regarding interview of BPA [redacted]
93	IAR regarding interview of BPA [redacted]
94	IAR regarding interview of BPA [redacted]
95	IAR regarding interview of BPA [redacted]
96	IAR regarding interview of BPA [redacted]
97	IAR regarding interview of DPAIC [redacted]
98	IAR regarding interview of ACPA [redacted]
99	IAR regarding interview of ACPA [redacted]
100	IAR regarding interview of WC [redacted]
101	IAR regarding interview of ACPA [redacted]
102	IAR regarding interview of BPA [redacted]
103	IAR regarding interview of SBPA [redacted]
104	IAR regarding interview of ASAC [redacted]
105	IAR regarding interview of ACPA [redacted]
106	IAR regarding interview of BPA [redacted]
107	IAR regarding interview of BPA [redacted]
108	IAR regarding interview of DPAIC [redacted]
109	IAR regarding interview of SBPA [redacted]
110	IAR regarding interview of SOS [redacted]
111	IAR regarding interview of WC [redacted]
112	IAR regarding interview of BPA [redacted]
113	IAR regarding interview of BPA [redacted]
114	IAR regarding interview of BPA-P [redacted]
115	IAR regarding interview of BPA [redacted]

EXHIBIT	DESCRIPTION
116	IAR regarding interview of BPA [redacted]
117	IAR regarding interview of BPA [redacted]
118	IAR regarding interview of WC [redacted]
119	IAR regarding interview of PAIC [redacted]
120	IAR regarding interview of BPA [redacted]
121	IAR regarding interview of BPA [redacted]
122	IAR regarding interview of BPA [redacted]
123	IAR regarding interview of BPA [redacted]
124	IAR regarding interview of BPA [redacted]
125	IAR regarding interview of BPA-I [redacted]
126	IAR regarding interview of MSS [redacted]
127	IAR regarding interview of BPA [redacted]
128	IAR regarding interview of ACPA [redacted]
129	IAR regarding interview of SBPA [redacted]
130	IAR regarding interview of PAIC [redacted]
131	IAR regarding interview of BPA [redacted]
132	IAR regarding interview of BPA [redacted]
133	IAR regarding interview of SBPA [redacted]
134	IAR regarding interview of DPAIC [redacted]
135	IAR regarding interview of BPA [redacted]
136	IAR regarding interview of BPA [redacted]
137	IAR regarding interview of BPA [redacted]
138	IAR regarding interview of BPA [redacted]
139	IAR regarding interview of BPA [redacted]
140	IAR regarding interview of BPA [redacted]
141	IAR regarding interview of BPA [redacted]
142	IAR regarding interview of BPA [redacted]
143	IAR regarding interview of SBPA [redacted]
144	IAR regarding interview of BPA [redacted]
145	IAR regarding interview of BPA [redacted]
146	IAR regarding interview of SBPA [redacted]
147	IAR regarding interview of BPA [redacted]

EXHIBIT	DESCRIPTION
148	IAR regarding interview of SBPA [redacted]
149	IAR regarding interview of SBPA [redacted]
150	IAR regarding interview of BPA [redacted]
151	IAR regarding interview of SBPA [redacted]
152	IAR regarding interview of BPA [redacted]
153	IAR regarding interview of BPA [redacted]
154	IAR regarding interview of BPA [redacted]
155	IAR regarding interview of BPA [redacted]
156	IAR regarding interview of BPA [redacted]
157	IAR regarding interview of BPA [redacted]
158	IAR regarding interview of BPA [redacted]
159	IAR regarding interview of BPA [redacted]
160	IAR regarding interview of AD [redacted]
161	IAR regarding interview of BPA [redacted]
162	IAR regarding interview of BPA [redacted]
163	IAR regarding interview of BPA-I [redacted]
164	IAR regarding interview of BPA [redacted]
165	IAR regarding interview of CPA Jason Owens
166	IAR regarding interview of PAIC [redacted]
167	IAR regarding interview of SBPA [redacted]
168	IAR regarding interview of BPA [redacted]
169	IAR regarding interview of BPA [redacted]
170	IAR regarding interview of BPA [redacted]
171	IAR regarding interview of BPA [redacted]
172	IAR regarding interview of BPA [redacted]
173	IAR regarding interview of PAIC [redacted]
174	IAR regarding interview of BPA [redacted]
175	IAR regarding interview of BPA [redacted]
176	IAR regarding interview of BPA [redacted]
177	IAR regarding interview of BPA [redacted]
178	IAR regarding interview of BPA [redacted]
179	IAR regarding interview of DPAIC [redacted]

EXHIBIT	DESCRIPTION
180	IAR regarding interview of DPAIC [redacted]
181	IAR regarding interview of SBPA [redacted]
182	IAR regarding interview of SBPA [redacted]
183	IAR regarding interview of SBPA [redacted]
184	IAR regarding interview of BPA-I [redacted]
185	IAR regarding interview of BPA [redacted]
186	IAR regarding interview of AEA [redacted]
187	IAR regarding interview of BPA [redacted]
188	IAR regarding interview of BPA [redacted]
189	IAR regarding interview of SBPA [redacted]
190	IAR regarding interview of DCPA [redacted]
191	IAR regarding interview of BPA [redacted]
192	IAR regarding interview of BPA [redacted]
193	IAR regarding interview of BPA [redacted]
194	IAR regarding interview of SA (Former BPA-I) [redacted]
195	IAR regarding interview of BPA [redacted]
196	IAR regarding interview of SBPA [redacted]
197	IAR regarding interview of BPA [redacted]
198	IAR regarding interview of BPA [redacted]
199	IAR regarding interview of BPA [redacted]
200	IAR regarding interview of BPA [redacted]
201	IAR regarding interview of BPA [redacted]
202	IAR regarding interview of BPA [redacted]
203	IAR regarding interview of BPA [redacted]
204	IAR regarding interview of BPA [redacted]
205	IAR regarding interview of BPA [redacted]
206	IAR regarding interview of BPA [redacted]
207	IAR regarding interview of BPA [redacted]
208	IAR regarding interview of BPA [redacted]
209	IAR regarding interview of BPA [redacted]
210	IAR regarding interview of BPA [redacted]
211	IAR regarding interview of SBPA [redacted]

EXHIBIT	DESCRIPTION
212	IAR regarding interview of BPA [redacted]
213	IAR regarding interview of BPA [redacted]
214	IAR regarding interview of PAIC [redacted]
215	IAR regarding interview of SOS [redacted]
216	IAR regarding interview of AEA [redacted]
217	IAR regarding interview of AIA [redacted]
218	IAR regarding interview of AEA [redacted]
219	IAR regarding interview of AEA [redacted]
220	IAR regarding interview of SA [redacted]
221	IAR regarding interview of SA [redacted]
222	IAR regarding interview of SA [redacted]
223	IAR regarding interview of SA [redacted]
224	IAR regarding interview of SA [redacted]
225	IAR regarding interview of SA [redacted]
226	IAR regarding interview of AIA [redacted]
227	IAR regarding interview of BC [redacted]
228	IAR regarding interview of ACPA [redacted]

Office of Professional Responsibility
Department of Homeland Security
1300 Pennsylvania Avenue NW
Washington D.C., 20229

U.S. Customs and Border Protection

May 10, 2024

MEMORANDUM

Modification of Case Closing Report UF2022586

The purpose of this memorandum is to memorialize the addition of a disclaimer to the first page of Case Closing Report UF2022586.

Following the final signature on Case Closing Report UF2022586, CBP's Office of Chief Counsel requested the following clarification be inserted on the first page of the report:

> ***DISCLAIMER***
> *This internal report outlines, for CBP leadership, the investigative findings, factual observations and conclusions, and recommendations of CBP OPR. OPR's identification and characterization of legal provisions in this report is offered to provide background and context for findings, observations, conclusions, and recommendations in this report. Nothing in this report constitutes, or should be interpreted as, official legal analysis, legal interpretation, or the legal position of CBP or DHS.*

The Office of Professional Responsibility concurs with the request from CBP's Office of Chief Counsel and is reissuing an updated report with the included language on the first page. No other changes were made.

DANIEL P ALTMAN

Digitally signed by DANIEL P ALTMAN
Date: 2024.05.13 13:11:56 -04'00'

Daniel P. Altman
Executive Director
Investigative Operations Division
U.S. Customs and Border Protection
Office of Professional Responsibility