

# Critical Incident Review: Active Shooter at Robb Elementary School—Chapter 4. Post-Incident Response and Investigation

## Rick Braziel

00:02

Hello, my name is Rick Braziel. I'm a former chief in the Sacramento Police Department. Today I'd like to share with you chapter 4 of the Critical Incident Review of the Active Shooter at Uvalde Elementary School. We're going to discuss over this next timeframe the post-incident response and investigation. At the end of this presentation, we'll also have references to the other chapters. We encourage you to look at them in totality because each one influences the other. But today we're going to focus on post-incident response and investigation.

A little bit about my background, a little over 33 years with the Sacramento Police Department, worked a variety of assignments, and spent the last five years as police chief. After retiring in 2012, I started doing critical incident reviews across the country and organizational assessments. Started with Christopher Dorner, the former LAPD officer who four years after being fired decided to seek revenge on Los Angeles Police Department by stalking and executing family members of command staff. That review then created this sequence of events that allowed reviews across the country from critical incidents like here in Uvalde, a terrorism event in San Bernardino, to civil unrest in multiple cities across the country.

At the end of this, there'll be some resources for you, but we strongly encourage you to not only just look at this video, but other videos related to Uvalde, as well as other resources within the COPS Office website. With that, we'll kind of show you some of the recommendations and kind of walk you through some of them as they're related to post-incident response and investigation.

One of the things that happened in Uvalde, if you've already watched the video on incident command and leadership, you'll realize that there was this cascading effect of lack of leadership and incident command within the initial event. That cascade actually led all the way through to the investigation. And unfortunately, the Texas Rangers—they're the investigative arm of the Texas DPS who has the ability to conduct this investigation—was kind of hamstrung at the beginning of this because the chief of the Uvalde School District Police determined that he was actually, initially, he was going to lead the investigation. Well, he has one investigator, and he had thought that he could handle the investigation with one investigator. And obviously this case is so complicated, it not only requires a lot of Texas Ranger staff, but additional resources within the state of Texas and the Federal Government.

One of the things that's critically important is for agencies to assess, do they have the skills internally and the resources internally to actually handle a very complicated investigation involving multiple agencies, multiple victims, or multiple crime scenes? And by tabletopping this and deciding we do or do not have that capacity, and if we don't, how do we align ourselves and have memorandums of understanding agreements on who will handle investigations. This also goes beyond just critical incidents such as this. If you have an officer-involved shooting, an in custody death, you may have the resources available to you, but it may be wiser to bring in other agencies to conduct an investigation to

give, at a minimum, just an appearance of objectivity and independence. In this case, as the incident command failed, so did the ability for the Texas Rangers to really start the investigation before the event was even concluded.

One of the challenges that DPS struggled with, and in our review we could see it on the videos, is creating a log of who was inside the crime scene and who was not inside the crime scene. We're going to define the immediate crime scene, the inner perimeter would be the school building. And within the school building you had multiple officers going in and out of it during the event. You had multiple agencies going in and out. And there really was no log kept of who was within the scene. So it complicated the Texas Rangers' ability to identify who did what before they were able to get control of it. It also led to this huge self-deployment within the building of resources that didn't belong in there, and we'll talk about it a little bit later about crime scene contamination.

Additionally, one of the challenges post-incident was leadership, folks that had no investigative role other than being leaders of the organizations, decided they wanted to go in and look at the crime scene. It has to be discussed early on, politicians don't belong in crime scenes. Leaders who have no investigative role don't belong in crime scenes. Even the district attorney doesn't belong, unless they're going to be actively involved in the investigation. And it became very difficult because of the nature of this event for Texas DPS along with others to basically exclude people from the crime scene. So again, these are all things that should be talked about ahead of time, particularly with the elected officials. There's this strong urge and desire for them to know what happened, to see what happened so they can report to their constituents. But in reality, all they do is contaminate the crime scene. In this case, there was no outstanding shooter. There was determined there was no co-conspirators. Had there been a prosecution for those related issues, the contamination, having politicians, would've really, really jeopardized the potential prosecution of that.

Additionally, decisions were made early on before investigators truly had a true scope of what they were looking at. And what I mean by true scope is when you go through all of the videos and you take the time and actually analyze them, you'll find certain pieces of evidence in those videos, either videos or sound, that would've led you to look at the evidence in a slightly different way. Unfortunately, things were happening, direction was being given to Texas DPS—I'll give an example—of a door being removed. Well, once the door was removed of entry into the classroom, you lose the ability to physically check that door for things later on that were identified, was the door locked or not locked? Was there malfunctioning of the door locking mechanism? So decisions were made very quickly that should have been slowed down and allowed all of the evidence to be processed before certain items were removed.

So it's really critical. Some of this stuff would've happened early on in the investigation if an incident command post had been set up, investigators would've been part of that ICS system. They could have identified potential videos and resources for intelligence information, more timely been able to review the videos and identify that—I'll give an example. The shooter's weapon, when you listened to the initial shooting when he entered the school, was definitely on some kind of modification to allow it to fire more rapidly. Then as he enters into the classroom, you can hear in the audio it switches from a very rapid fire to single action. That information would've been critical to know when crime scene

investigators went in that they're looking and analyzing the gun, were there any modifications to it? Eventually a modification device was found inside the building, but it was not found where it had been dropped. It was found in a trash can because investigators went through and listened and determined that, and then discovered that they needed to go back and look for that device, and someone had thrown it in the trash not knowing that's what they were looking for. Again, it's one of those that incident command cascading effect of getting control of this at the front end creates some huge difficulties for Texas DPS, for the Texas Rangers at the back end.

One of the things when we do tabletops, and we see this across the country, is we'll do a tabletop exercise for an active shooter, a flood, a major event. I'll use active shooters as an example. When the drill or exercise is done, the bad guy in the exercise is neutralized, we stop. We tend to forget that that just ends the immediacy of the event, but all kinds of things cascade behind it. You have the investigation. You have notifications of the coroner's office. You have all these things that occur at the back end, but yet we don't exercise those. One of the things we need to think about is when we talk about—even whether it's tabletops or actually true drills or true exercises—how do we walk through the entire scenario? How do we walk through the actual response? The investigation? How do we mock up and tabletop notifications of families? Of staging areas? All of this is something that we just hope turns out okay, but hope is never a good strategy, and those are some of the most important things we do when we respond. It's all the after-action stuff. After the incident is over and the momentum has slowed down, then what do we do?

There are jurisdictions across the country that are very, very good at running parallel investigations, meaning you have a criminal investigation and you have your administrative investigation. And some of you watching this are saying, "We've adopted those. We've checked those. We know how to do these." Others do not. So if you do run parallel investigations and you're very clear about separating your voluntary statements from your compelled statements in an administrative investigation, just take this as an opportunity to review it and see, can we do it better? If you haven't and you don't do this, we strongly encourage you to look at what are some of the protocols you have in place. Look to agencies, look for best practices on how to run parallel investigations. And in some cases, it's not just your agency running a parallel investigation, but there's other agencies involved as well conducting their additional investigations. So how do you wall off certain statements, wall off certain pieces of evidence so that you don't jeopardize your criminal investigation or you don't taint your administrative investigation?

Last piece in this when we talk about the interviews is make sure that your investigators and your staff, even those not doing the interviews, understand trauma-informed techniques. Uvalde was extremely traumatic for not just the officers who were involved in it, the responders, the witnesses, but you also have to take into consideration the investigators doing the interview. So make sure that you're looking out for the techniques you use in how you interview the officers, but also make sure that you're taking care of your investigators as well.

One of the things we identified in Uvalde, and this has happened before, and again, some agencies do this extremely well, some have never thought of this, is when an outside agency is doing investigations, they're making requests for interviews from a different agency. In this case it would be—I'm just giving

an example, of Texas DPS is doing the investigation, criminal investigation. They're asking for statements from officers, from agencies that are not part of Texas DPS. But the agency where the employee is at, that police department is not making copies of and collecting their statements for their own investigation. So it became difficult for agencies, and they didn't realize as their officers were providing statements to Texas DPS, that they should have been collecting those same statements for their potential investigative interviews with their agency.

The additional thing we should be aware, particularly if agencies, if you're providing investigators into a region that aren't necessary familiar with the makeup of that jurisdiction, is being very sensitive to cultural diversity and how interviews are done. The United States is a collection of cultures from all over the world, and different cultures respond in a different way to being interviewed in a certain manner. And so having those sensitivities at the front end and identifying those, even within your own jurisdiction if you haven't thought about that, is being sensitive to, in the interviews, particularly victims and witnesses too, their background, their needs. And where they're coming from.

This is a short snippet on Uvalde, on the Critical Incident Review, and particularly when it comes to the post-investigation. We strongly encourage you to look at other videos, but we hope you've been able to find this helpful. Everything in the reviews, each of the chapters, is kind of linked to the others. So we strongly encourage you if you haven't looked at the other videos to look at those, and then come back to this one to reassess as well.

## **CIR Report Closing**

*13:18*

Thank you so much for reviewing these important issues, for taking the time to talk about recommendations and policies. We certainly hope that the observations and recommendations throughout the report will improve the preparation and response by those law enforcement agencies that were addressed during the review, as well as other law enforcement agencies throughout the country. And we would add as well, as schools and school districts and people who are engaged with children in the school workplace to take a look at and address these different issues as well and become familiar with them. If you do nothing else, it would be very informative to review the recommendations, familiarize yourself with what the issues are talked about today, and look at these specific recommendations and see how you might be able to work them into your active shooter and other disaster response plans.

Also in the latter chapters, starting on page 513, there are many resources for the different topics that are addressed throughout the report. That whole section is really comprehensive for anyone that's looking for specific agencies and organizations that provide consultation, direct services, crisis services. There are planning templates and other toolkits related to all the topics that are covered by the critical incident review team in the entire report. So we encourage you even to familiarize yourself with the resources.

And certainly before we wrap up the video, we really do want to encourage you to look at all the different chapters. We cover many, many important issues, just as this one is important. There's tactics and equipment, leadership and incident command, post-incident response and investigation, public

communications, trauma support services, and finally, pre-incident planning and preparation. If you're looking for more on that, that's chapter 8. Chapter 3 covers leadership and incident command. We know how important—that's the base of where you start all your planning from. Chapter 5, public communications—we know that during and following a crisis are good interventions themselves. And so it's very, very important to familiarize yourself with what the appropriate type of public communications are that can help the community.

Chapter 6 covers trauma and support services, and I will make a plug here, that throughout every phase of the critical incident review, every team member was well-versed and practiced trauma-informed services in how we interviewed, how we talked to the community, how we talked about the incident itself, how we talked to the other youth and the community members, to make sure that we weren't activating people and adding to any of their distress. And as you can imagine, that's not an easy thing to do under these circumstances. So overall trauma-informed practices throughout this kind of a review and in all of your disaster planning in your exercises and drills, we don't want to make the school staff and the children feel more afraid. We want to help them get into a routine and a familiarity so that they know how to go through the process of keeping themselves safe without being more afraid because they're aware of the need to do this. And chapter 7 on school safety and security if you're looking for that specifically.

So there's a lot to learn there and we're so thrilled that you took the time to join us today. We also want to point out that we had an opportunity to talk to family members and learn about these children, who these victims were. And you will see that there is a section of remembrance profiles of the victims who were killed at Robb Elementary in Uvalde on May 24th in 2022. It was a gift and a really sacred place for us to be able to learn about who they were, these dynamic young people who were looking forward to their lives, and to honor their memories as their families continue to suffer through their losses.

But we also want to make sure that you know that you can visit the website where the entire report is listed. It's at [cops.usdoj.gov/uvalde](https://cops.usdoj.gov/uvalde). You can download the report, you can refer to it, but know that the website houses the full report and the executive summary, and it's in both English and Spanish. And there are links for the resources that you can access at no cost, getting technical assistance to implement the recommendations in the report. Overall, the report has several hundred recommendations. So again, looking for specific information, you can go to the individual chapters and you can refer directly to the recommendations, and know that you can implement the different recommendations in the report with no-cost technical assistance. So please do visit the website, familiarize yourself with the information that you're looking for, and expand your reach to take a look at all the specific chapters, because there's a lot of lessons learned that we are hoping that throughout the country, others who are working in schools, working in law enforcement, are able to learn and implement some of the lessons that came out of this horrible event.

And we thank you very much for joining us today. We know that it takes a lot of energy out of your day to attend a webinar. We hope it was informative, and we appreciate your being with us. Thank you.