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Fatality Management in Rural Areas: How One Justice of the Peace Oversaw the Uvalde School Shooting

Across the U.S., Justices of the Peace have multiple duties, including presiding over landlord and tenant disputes, truancy cases, and small civil cases. [In Texas](#), while roles vary by county, Justices of the Peace also perform magistrate duties and conduct inquests into cause of death. ASPR TRACIE met with Judge Eulalio “Lalo” Diaz, Jr. to learn more about his experience as the on-call coroner on May 24th, 2022, when a gunman killed 19 children and two teachers and injured 17 others in an elementary school in Uvalde, Texas.

■ John Hick (JH)

Judge Diaz, tell us more about your role and the community you serve.

■ Judge Eulalio “Lalo” Diaz, Jr. (LD)

I am the Justice of the Peace in Uvalde County, which is made up of roughly 18,000 people. Our normal case load as far as inquests is 20-30 per year. We are the magistrates of the county; we handle inquests during and after hours, we handle traffic violations and other legal matters, and in smaller counties like ours, the Justice of the Peace also serves as the coroner.

Before the COVID-19 pandemic, we contracted with the Bexar County medical examiner in San Antonio to conduct our county’s autopsies. During the pandemic, they were overwhelmed by the increased caseload, so we contracted with Central Texas Autopsy in Lockhart perform them. I was the acting coroner on the 24th of May.

■ JH

What were your responsibilities at Robb Elementary School on that day?

■ LD

I was on call that day, and at around noon, my wife called saying there was something going on at Robb Elementary School. Shortly after that, the Uvalde Police Department posted information about an active shooter situation on Facebook. From noon until 2:30, all you could hear was sirens moving around town. They were moving children from the school to the hospital and the Civic Center, then going back to Robb Elementary to pick up more students.

In Texas, Justices of the Peace must complete 80 hours of continuing education during their first year in office. Each year thereafter, they must complete 20 hours per year, including not less than 10 hours of instruction regarding substantive, procedural, and evidentiary law in civil matters.

(Source: <https://statutes.capitol.texas.gov/Docs/GV/htm/GV.27.htm#27.005>)

I received the call around 2:30 pm from the district attorney asking me to report to Robb Elementary School. I met the district attorney and Texas Rangers on scene. There were about 150 officers scattered around the area. They had me log in at the fence line before I could walk around outside the school. Before arriving, I heard there were two or three victims; officers on scene then told me there were 16 or 17 victims in the school.

■ JH

When did you decide to request assistance from Bexar County?

■ LD

After conferring with the Rangers, we decided to set the time of death at 3:10pm and to hold off on entering the building. Due to the nature of the incident and number of fatalities, I decided to call Dr. Kimberly Molina, Bexar County's chief medical examiner to support the response. She asked me to send an email giving her permission to come to Uvalde to assist, which I immediately did from my cell phone. She agreed, saying it would take them a few hours to gather supplies and drive to Uvalde.

There is a funeral home across the street from Robb Elementary, and it became a gathering area for first responders. I waited there for Dr. Molina, gathering my thoughts, and trying to prepare myself for what I would see. Two other Justices of the Peace joined me, and once Dr. Molina showed up, we entered the school with a few officers.

■ JH

How did you work together to identify and transport the bodies?

■ LD

Together with Dr. Molina, we determined whether we could get good pictures of the victims to help the Rangers with identification. The incident happened in two adjacent classrooms—111 and 112—but when we entered the school, there were bodies in four different rooms. First responders had moved them while triaging them. Another body was on a gurney, and one teacher died in an ambulance that never left the school. Several victims were taken to local hospitals where they died. There were 22 decedents including the shooter. While the scene itself was bad, hearing the students' and teachers' cellphones ringing nonstop will stay with me forever, especially when I think of the situation from the perspective of a parent.

Dr. Molina brought enough supplies and we put a tag with a letter on each wrist to assist with identification and tracking. We also wrote the letter from the tag on top of the body bag.

In the meantime, staff from the school district and Rangers were at the reunification center (located in the civic center) asking parents who had not been reunified with their children to describe clothing and other distinguishing characteristics. Staff also started swabbing parents for DNA.

Eventually I signed orders for all of the bodies except the shooter to be taken by bus from the school and funeral home to San Antonio, where the Bexar County medical examiner would finalize identification, conduct autopsies and release the bodies to family members for final disposition. It was the first time I had done that for 16 unidentified victims. I filled out a separate order for the shooter, who was transported by hearse to Guadalupe County. It took us until nearly 2:00 pm the next day to receive final confirmation on every body's identification. The Bexar County medical examiner released the bodies to funeral homes in two groups.

■ JH

What kind of buses were used to transport the victims?

■ LD

Bexar County's Office of Emergency Management's emergency Medical Task Force (located in San Antonio) sent the mass casualty evacuation ambulances, and I think each ambulance could hold approximately 15 bodies. In June, when 53 migrants were found dead in a tractor-trailer in San Antonio, the county used those ambulances again.

■ JH

Who decided on the civic center as a reunification point?

LD

The city owns the center, and the school district had an agreement in place with the city. All surviving students were bused from Robb to the civic center. While I didn't go, from what I understand, the scene was chaotic. Parents wanted to take their children home, but the school needed full documentation before they could release them. To complicate matters, there had been an award ceremony that day, so some children had left earlier with their parents. Other parents showed up at Robb hoping to take their children home before they could be bused to the civic center to complete the reunification process. All children were released by 5:00 pm on May 24th.

JH

How did you deal with the media coverage and the pressure to release names and information?

LD

The media pressure started the next morning at roughly 8:00 am. I came to my office early, at around 6:30 am, thinking the parents would be at the door asking where their children were, but that wasn't the case.

When the media found out I was handling it, they came to my office. I tried to be transparent with my process and share the number of victims that were at the medical examiner office. Many members of the media were baffled that a Justice of the Peace—and not a medical examiner—was in charge. They didn't understand how a judge in a small Texas county would handle a situation of this magnitude. I think our families were grateful to have an elected official and leader being transparent. I wasn't under anyone's orders and was able to talk about my process and with the media about what was happening, what we saw, and what the families could expect from my office.

When I finally got the official cause of death and wrote up the death certificates, I called the district attorney's office to let them know I'd be done the next day. It was up to them to decide whether to seal the death certificates, and they chose not to, so the next day there was a release of information. Manner and cause of death was homicide, but each death certificate had specific details regarding location(s) of gunshot wounds.

The attention continues; some members of the media rented offices for a year in Uvalde.

JH

Bexar County provides services to many jurisdictions, is that right?

LD

Yes, and during the COVID-19 pandemic, Bexar County had to stop doing out-of-county work. That's when we developed a contract with Central Texas Autopsy. In fact, the official autopsy reports from this incident are not in yet. This delay is due in part to the pandemic, managing the Robb Elementary School fatalities, and the 53 fatalities I mentioned earlier.

JH

You knew many of the families affected by the shooting, so this must have been extremely difficult. How are you doing?

LD

I went to school with one of the teachers who died and her husband Joe, who died two days later of a heart attack. When I got home later and my daughter started reading names to me of missing children listed on Facebook, I realized just how many victims I knew. I knew parents and grandparents. It's a tight-knit community, so it hits hard. My wife, my children, and I attended Robb Elementary School. I found myself breaking down the day after the shooting, when Joe passed, and later when I found out the incident had lasted 77 minutes. During the day, my mind would stay busy at work, but then I'd get home and my mind would race. A lot of the information released later was news to me, too, and I know what I personally saw and heard that day.

One of my wife's cousins encouraged me to get counseling immediately and not wait until the work was over. I participated in virtual counseling early on, followed by more later. I've been a Justice of the Peace for eight years now, so I've seen these things but never to this magnitude. The other Justices of the Peace took it harder because they were new to the job. It hit me hard, but it has helped to stay close to my family. Other judges and medical examiners reached out to offer support. In the first month after the incident, many people reached out to offer support.

■ JH

When peers reach out that helps. Is there anything else to add for other counties planning for emergency mass fatality incidents?

■ LD

It was important to separate the shooter from the victims, to make sure he was never at a medical examiner or funeral home near them. That was important for the families. Whoever the emergency manager is in the town, they initiated the transport. It really helped that they sent those buses to transport the victims. The way we set up the buses did not provide the media with a clear view so there were no pictures of victims being loaded onto the bus. I am proud of being able to keep how we loaded victims onto the bus discreetly. Those images would have been hard for the families to see.

■ JH

Were there any issues with managing the crime scene and moving the bodies?

■ LD

I heard from some Rangers that they were bothered by the decision I made to remove the bodies from the crime scene the night of the shooting; I told them while the scene belonged to them, the bodies belonged to the county. About a month later, I met with some who expressed appreciation for this decision, as the optics and media coverage would have been even worse than they already were had we left the children's bodies at the scene overnight. Also, officers had already moved several of the bodies when they were looking for survivors; there was no need to leave them in the original room.

It is interesting-during my training to become a Justice of the Peace, were told we wouldn't see mass casualties, because those types of incidents are so "rare." Basic understanding of your role is important, as is not getting pushed around by law enforcement. My job was to attend to the deceased so that family members could achieve closure to a very tragic situation.

ASPR TRACIE asked **Dr. Kimberly Molina**, the Chief Medical Examiner (ME) for Bexar County, TX Medical Examiner's Office (BCMEO), to share some lessons learned following their experience with two mass fatality events (the Robb Elementary School shooting and the incident involving 53 immigrants who died in an 18-wheeler) and the COVID-19 pandemic:

The COVID pandemic caused an increase in caseload for ME offices across the nation for all types of deaths. Previous to the pandemic, the Bexar County Medical Examiner's Office (BCMEO) served 28 counties in addition to Bexar County; however, due to workload increases within Bexar County, the office is no longer able to provide services to outside counties, except for in extraordinary circumstances. The pandemic also necessitated the expansion of body storage facilities at the BCMEO, in order to adjust to the increasing caseloads.

What many people may not know about Medical Examiners is that they are physicians, Forensic Pathologists to be exact, and like all other health care fields, many forensic pathologists (FPs) retired or left the field during the pandemic, leaving an already strained workforce nearly decimated. There are estimates that the workforce only includes approximately 500 FPs in the entire U.S. and that about 20% of those were lost in the pandemic. Of course, this occurred during a period of increasing caseloads when more FPs were desperately needed. In addition, only about 40 FPs are trained per year. Thus, it will likely take at least three years just to recoup the FPs lost before the field can even begin to grow. All this during a time when just about every ME office in the nation is in need of FP staff. At the time of the two mass fatality incidents, the BCMEO was in the same position as other offices, having lost several staff members during the pandemic while gaining new positions due to the increased caseload. Unfortunately, however, we have been unable to recruit staff to fill those new positions as there just aren't enough qualified FPs out there.

Regarding mass fatality events specifically, the BCMEO has experienced five such events in the past 20 years. Each of these events are tough situations to deal with, though ME staff are better prepared than most, as we deal with death every day. However, seeing so much death at one time, and in such young children, it is still difficult.

For the Uvalde incident, we brought in mental health professionals, and the senior BCMEO leadership tries to be available for the staff as much as possible. In addition, we strive to give the staff the time they need to cope, including time off and ensuring a work-life balance, even if it means falling behind on some of our workload. Bexar County also offers a robust wellness program, including mental health services.

Advice I would share regarding these types of events would be that while planning and preparation are certainly needed, each mass fatality event is unique, so you have to be willing to be flexible and adjust your response to the needs of the particular situation, as no plan prepares you for everything. It is also important to understand that mass fatality situations are stressful events for everyone, even those who think they can handle it (i.e., medical examiner employees), so find that something that helps your staff cope. For example, I have learned that food and therapy animals are wonderful tools, though this is likely not the same for everyone.