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FOR IMMEDIATE RELEASE

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DISTRICT ATTORNEY TO DROP DEATH PENALTY IN WALMART MASS SHOOTING CASE

El Paso District Attorney James Montoya is announcing his decision to no longer pursue the death penalty in the capital murder case against the Walmart shooter.

By withdrawing the potential sentence of execution by lethal injection, the perpetrator is expected to plead guilty to capital murder and serve a life sentence in prison without the possibility of parole. As part of the plea, the perpetrator will also waive all potential appeals.

“Withdrawing the death penalty has nothing to do with my stance on capital punishment, nor is it a question of guilt or a lack of evidence. I believe in the death penalty,” Montoya said. “This is about allowing the families of the 23 victims who lost their lives on that horrific day – and the 22 wounded – to finally have resolution in our court system. Continual delays due to the handling of this case before I arrived in office have left them in limbo. Now, no one in this community will ever have to hear the perpetrator’s name ever again. No more hearings. No more appeals. He will die in prison.”

Montoya is the fourth district attorney to oversee the Aug. 3, 2019 Walmart mass shooting case, which had been riddled with delays caused by the COVID pandemic, the forced resignation of a district attorney, and defense allegations of misconduct.

Since taking office on Jan. 1, Montoya met with every family affected by the tragedy to hear directly from them about how they feel about the case, the pending trial, and the ongoing pursuit of capital punishment. A strong consensus expressed their desire to see the case concluded as quickly as possible, even if that meant no longer pursuing the death penalty.

The perpetrator is scheduled to plead guilty and be sentenced on April 21, 2025, in the 409th District Court. Victim impact statements will take place after the plea is entered.

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