

## **Kristen Barnebey**

---

**From:** Kristen Barnebey <kbarnebey@aransascounty.org>  
**Sent:** Thursday, October 05, 2017 9:22 AM  
**To:** CJ Wax  
**Cc:** tytomb@aol.com; Kevin Carruth; Terry Baiamonte; Kelsey Downing  
**Subject:** Status of Intake

As we stand together to rebuild Rockport, the past issue of concerning the misconduct of Officer Chad Brooks and the Rockport Police Department has reemerged. On Monday, Rockport Police Department, attempted to participate in the intake process of criminal cases. Unfortunately, the Aransas County District Attorney's Office and the City of Rockport has not resolved the issues surrounding the misconduct of Officer Chad Brooks. Therefore, the Aransas County District Attorney's Office is on hold awaiting the City of Rockport to respond with a solution. While we are hopeful that the City of Rockport is ready to resolve this issue and begin to work together as one city, one voice; the Aransas County District Attorney's Office cannot consider moving forward in accepting cases form Rockport Police Department, until the City of Rockport complies with the law and produces the below information.

1. A copy of all RPD officers' disciplinary actions or adverse actions taken against the officer in possession of the City of Rockport;
2. Chad Brooks' personnel file including all disciplinary actions;
3. All Use of Force Reports for the years 2015-2017;
4. RPD's current Policy and Procedure manual; and
5. A Statement regarding who provided the City's permission to release the body cam video of Chad Brooks being prepared for trial including when that was provided and how.

Pursuant to the implementation of the Michael Morton Act, and the Texas Code of Criminal Procedure § 39.14, the State is required to turn over any potential impeachment materials on any witnesses, including officers that may testify in a criminal case. Therefore, once it was brought to our attention there may be possible impeachment evidence contained in the above materials, the Aransas County District Attorney's Office requested that information. Under the law, the Aransas County District Attorney's Office has a duty to produce the above material to defense counsel, even if the material is in the possession of the law enforcement agency and not our office. Therefore, many of these items were requested in the month before the hurricane and have yet to be provided. Therefore, the Aransas County District Attorney's Office filed the attached Motion for Discovery.

As was true before the storm and is true today, we stand ready to assist building a working relationship between the Aransas County District Attorney's Office and the Rockport Police Department. We are interpreting the attempt to drop off cases by the Rockport Police Department, as an indication they are ready to proceed as well. However, if this is not the case, please communicate this to Rockport Police Department and we ask the ban on speaking to the media until this issue is resolved.

I appreciate your cooperation in advance, and would like to know how you wish to proceed.



**Kristen Barnebey**  
**Aransas County District Attorney**

Telephone: 361-790-0114

Fax: 361-790-0199

301 N. Live Oak Street

Rockport, Texas 78382

[Kbarnebey@aransascounty.org](mailto:Kbarnebey@aransascounty.org)