

**Kristen Barnebey**

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**From:** Kevin Cullen <kcullen@cullenlawfirm.com>  
**Sent:** Thursday, February 15, 2018 3:29 PM  
**To:** Jim McKibben  
**Cc:** Terry Baiamonte; Skip Henkel  
**Subject:** Re: aransas/rockport settlement discussion

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Jim,

When two governmental entities try to “work together” for the common good of their mutual citizens, they don’t keep secrets from each other as to why they are unwilling to go down a path that the other believes will improve the common good.

Hiding the Police Chief’s rationale is a confirmation of my belief that he knows he’s got a flawed department and he doesn’t want that exposed.

Feel free to share these thought with your client. ACDA has nothing to hide.

Kevin D Cullen

**From:** [Jim McKibben](#)  
**Sent:** Thursday, February 15, 2018 1:03 PM  
**To:** ['Kevin Cullen'](#)  
**Cc:** [Terry Baiamonte](#) ; [Skip Henkel](#)  
**Subject:** RE: aransas/rockport settlement discussion

Kevin,  
The reasons were discussed in executive session of the city council and involve attorney client privileged information. The city accepted your second option and looks forward to receiving a list to begin working together.  
Best regards,  
Jim

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**From:** Kevin Cullen [mailto:kcullen@cullenlawfirm.com]  
**Sent:** Thursday, February 15, 2018 11:18 AM  
**To:** Jim McKibben  
**Cc:** Terry Baiamonte; Skip Henkel  
**Subject:** Re: aransas/rockport settlement discussion

Jim,  
Could you please explain the reasons for the disagreement? If it is not the money, what possible reason could the police chief have to refuse to have qualified professionals review his policies and procedures? Inconvenience? Time consuming?  
Please explain.

Kevin D Cullen

Sent from my iPhone

On Feb 15, 2018, at 11:00 AM, Jim McKibben <[jmckibben@mcv-law.com](mailto:jmckibben@mcv-law.com)> wrote:

Kevin,

I am sure you realize there is some disagreement with your characterization of the reason for the city's decision. I have requested the information from the department on their certification and will provide it to you as soon as I receive it. We are looking forward to receiving the list referred to in your email.

Best regards,

Jim

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**From:** Kevin Cullen [<mailto:kcullen@cullenlawfirm.com>]

**Sent:** Thursday, February 15, 2018 10:48 AM

**To:** Jim McKibben

**Cc:** Terry Baiamonte; Skip Henkel

**Subject:** Re: aransas/rockport settlement discussion

Of course I'm disappointed that the city is unwilling to spend as little as \$10,000 to solve this impasse and at the same time improve the police department. It is obvious that the police department does not want its deficiencies discovered and corrected. If they really wanted to assist in prosecuting crime, surely the money would be spent. That said, please send me the information you have offered.

Sent from my iPhone

On Feb 15, 2018, at 10:13 AM, Jim McKibben <[jmckibben@mcv-law.com](mailto:jmckibben@mcv-law.com)> wrote:

Kevin,

The city is not willing to agree to the proposal involving a neutral third party consultant. The city is eager to move forward to assist in the prosecution of people that violate the law in Rockport. Please send the Rockport Police Department a list of actions to comply with, and copy Terry Baiamonte.

If it is of any interest, the city will provide you and the District Attorney the specifics on the very lengthy certification process the police department recently successfully completed.

Best regards,  
Jim McKibben

James McKibben  
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