

On July 28, 2017, the Aransas County District Attorney's Office made the decision to stop accepting all cases with Patrolman Chad Brooks listed as a witness, responding officer or arresting officer. The ACDA can no longer support Patrolman Brooks' testimony because of his deliberate decision to withhold evidence from our office. Additionally, Patrolman Brooks' has continued to engage in the unethical behavior of profiling defendants with whom he has had previous contact and he has secretly recorded a trial preparation meeting with our office. When confronted with Patrolman Brooks' misconduct, the Chief of Rockport Police Department expressed that he, too, would not turn over the secretly recorded video. Unfortunately, this statement demonstrates a clear lack of understanding by the Rockport Police Department on the Texas discovery laws and the duty to disclose information provided by those laws.

Each prosecutor swears an oath under Texas Code of Criminal Procedure, Art. 2.01, "not to convict, but to see that justice is done." What you rarely hear quoted is the next sentence: "They shall not suppress evidence or secrete witnesses capable of establishing the innocence of the accused." When law enforcement will not uphold the law, prosecutors must step forward and ensure the law is being followed and unethical officers are not being put before the judge and jury as credible witnesses.

Chad Brooks has shown a pattern of untrustworthy behavior, including circumventing the rules of court and not representing the facts accurately in his reports, and we have exhausted all our remedies in correcting these issues with him internally. Further, Patrolman Brooks has engaged in activity which cannot be disclosed due to ongoing investigations.

Three weeks ago we informed Mr. Brooks' superiors of his secret recording and reminded them of our previous communications of issues with RPD officers. Again, we provided the law and stated that all evidence had to be turned over pursuant to the Morton Act. The Chief of RPD then stated that he, too, would not have followed Texas law and only complied with the Texas Code of Criminal Procedure now that he had been exposed by members of his own department.

After hearing (by his own admission) that the Chief had also deliberately withheld evidence, the ACDA reported this situation to the Rockport Mayor and City Manager. Still, nothing was done to correct the behaviors and disregard for the law described above. This lack of appropriate action is a disservice to defendants, victims, the criminal justice system and, ultimately, our entire community.

In a letter that was provided today and signed by Mr. Brooks yesterday, we were told that Patrolman Brooks was disciplined for engaging in the unethical recording. That letter, however, does not describe any disciplinary action, nor ensure that the RPD is in compliance with the discovery laws, nor address the potential education of Mr. Brooks as an officer or witness; so, unfortunately, it appears that RPD continues to attempt to cover up the situation instead of correcting either the patrolman's—or the Chief of Police's—knowledge and behavior.

The Rockport Police Department needs to make significant changes in the education and training of its officers and our office cannot stand by status quo, prosecuting cases that may or may not be good cases. We believe in the law and we are sworn to uphold it. Sadly, this flagrant disregard for the law and lack of willingness to correct the actions of Patrolman Brooks and the RPD leaves the Aransas County District Attorney's Office with no other choice. As of today, August 15, 2017, the Aransas County District Attorney's Office will not accept any cases submitted by the Rockport Police Department until an improvement plan is in place and we have their complete assurance that we will receive accurate case reports and ALL evidence in a timely and professional manner every single time.