

# U.S. Army investigates colonel

## Officer's security clearance suspended, newspaper reports

CORPUS CHRISTI (AP) — The U.S. Army has suspended the security clearance of a Texas National Guard colonel under investigation in connection with drug smuggling activities, a newspaper reported Tuesday.

Col. Richard Brito headed the Guard's drug war until April 1989, when U.S. Customs requested his removal because of his brother's alleged involvement with narcotics trafficking, customs officials have said.

A confidential memo said Brito's security clearance has been suspended "pending further investigation to clarify allegations of drug smuggling operations."

The Corpus Christi

Caller-Times obtained a copy of the March 10 memo sent to Brito by the U.S. Army Central Personnel Security Clearance Facility in Maryland.

Calls to Brito, the director of plans, operations and training for the Army National Guard in Austin, were referred to Guard spokesman Lt. Col. Edmond Komandosky.

"We can't deny its existence," Komandosky said of the memo. "But it is being handled. We aren't supposed to talk about it."

The U.S. Attorney's Office in Houston has dropped an investigation of Brito, according to a Texas Department of Public Safety officer who investigated the case.

Federal officials refused to comment.

The Caller-Times reported earlier this year that the DPS and the U.S. Customs Service were investigating Brito in connection with the suspected smuggling operations of his two younger brothers, Mario and William.

Mario Brito was convicted in absentia in Grimes County of organized criminal activity. William Brito was charged with the same offense but was never tried.

Both fled the state in 1990 and remain fugitives. Each was also charged in Brownsville with four federal drug offenses in 1991.

DPS officer Von Allen and other investigators said they were

looking into allegations that Brito supplied his brothers with information that allowed them to smuggle drugs into the United States from Mexico.

The DPS has been looking into Brito's alleged connection for about four years, said Allen, a narcotics officer in Bryan who was involved in the investigation.

The U.S. Attorney's office declined to pursue the case, halting another investigation by a Brownsville grand jury.

"The U.S. Attorney's Office in Houston didn't give us the OK to indict," Allen said.

"Brito is a dead issue by orders of the U.S. Attorney's Office in Houston."

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### In Advance

#### Off-Campus Center to hold '92 Housing Fair today in MSC

The Off-Campus Center is sponsoring the 1992 Housing Fair today in the MSC from 9 a.m. to 4:30 p.m.

Over 50 management properties and some apartment locator services have set up booths and are on hand with information about their properties and services.

Helping to answer students' questions at the fair are fifteen service providers, including the police departments and the utility companies.

The Student Legal Department is available to answer questions concerning the variety of leases.

For more information call Off-Campus Housing Office at 845-1741.

## Three stabbed, beaten to death

### Close friends, residents say unknown killer knew victims

KERRVILLE (AP) — In the quiet Hill Country community where three family members were clubbed and stabbed to death, the neighborhood mood Tuesday was a mix of shock, mild curiosity and nonchalance.

But friends and close neighbors of the elderly Clayton and Juliana Kenney seemed to agree on one thing: the family's killer was someone who knew them.

"I think it's just isolated. From what I can figure out, it was somebody who knew them," said Bud Hainline, who lives about three-fourths of a mile from the Kenney home and occasionally visited with Clayton Kenney.

"Of course we're concerned about it," Hainline said.

"We're just anxious for them to find out who did it."

Clayton Kenney, 83, Juliana Kenney, 74, and Mrs. Kenney's daughter, 44-year-old Adrienne Arnot, were found dead Monday morning.

Their bodies were discovered by a nurse maid who came to the house after receiving no answer by telephone.

Juliana Kenney previously had suffered a stroke and had to be cared for by her family and hired help.

Law officers found a knife and a post or stick Monday on the Kenney's property, an isolated piece of land just north of Kerrville.

Investigators searched for more clues Tuesday, questioning several people who had worked for the family, said Kerr County Sheriff Frances Kaiser.

Autopsies indicated the three were stabbed and beaten.

There were no arrests in the case by Tuesday evening.

In their peaceful hilltop home, as they watched deer nibble in their back yard, Dorothy and M.B. Abernathy recounted the moments after the bodies were found at the nearby Kenney home.

The maid, whose name has not been released to the public, ran to the Abernathy home seeking help.

"I heard the person out there crying, and I thought, 'Oh somebody must have had an automobile wreck,'" said Mrs. Abernathy, who soon realized the situation was more serious.

"She kept saying, 'The Kennys have been murdered. There's blood everywhere.'"

## Texas confines woman for 51 years

### No one else would take care of her, state attorney says in defense

AUSTIN (AP) — Attorneys for a woman who says she was wrongly confined in Texas mental institutions for 51 years said Tuesday that her life has been destroyed.

But a state attorney said Texas should not be punished for taking care of Opal Petty when no one else would.

The Texas Supreme Court heard oral arguments in the case of Petty, now 73-years-old and living with her nephew and his wife in San Angelo. The nine-member court issued no immediate ruling.

In 1989, Petty was awarded \$505,000 from a Travis County jury that found the Texas Depart-

ment of Mental Health and Mental Retardation guilty of negligence. Her award was later reduced to \$250,000 because of state law limiting damages against state agencies.

An appeals court upheld the judgment, and the Texas attorney general's office appealed to the state Supreme Court.

The state claims that the jury award was wrong. Under the Texas Torts Claims Act, a person can recover damages from the state only if "tangible property" of the state is a contributing factor to the injury.

"The state is being punished for trying to take care of someone

no one else would take care of," said assistant attorney general Toni Hunter.

The jury found the state was negligent because it misinterpreted numerous diagnostic tests, mental evaluations, and other status examinations of Petty.

Hunter said those tests are not tangible property because they reflect opinions and information.

But Justice Bob Gammage said, "A piece of paper is tangible property. You can hold it in your hand. What you're asking for it seems to me is a distinction without a difference."

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(9:00A.M. - 6:00P.M. in MSC)

## Evangelist refuses to release records

DALLAS (AP) — An attorney for Robert Tilton has indicated the televangelist's ministry would not provide financial documents to the state attorney general by a Tuesday deadline, saying Tilton already has opened records to federal investigators.

The Texas attorney general's office disagreed with Tilton's Oklahoma attorney on whether the ministry, which recently changed from a corporation to a non-profit association, was now outside the state attorney's jurisdiction.

During a televised Sunday service, Tilton announced his ministry, formerly Word of Faith World Outreach Center Church Inc., had dissolved its non-profit corporate status to become a full-fledged church.

Texas Attorney General Dan Morales, in a letter two weeks ago, gave Tilton's ministry until the close of business Tuesday to produce the documents, including tax forms and ledgers.

The documents were needed to determine whether the ministry was abiding by its status as a non-profit corporation.

Tilton has been under legal scrutiny since ABC-TV's Prime-Time Live broadcast a profile of his ministry in November.

According to the broadcast, Tilton deposited financial donations sent with "prayer requests," but the requests didn't reach the minister.

The ministry has denied the allegation.

J.C. Joyce, a Tulsa, Okla., attorney representing Tilton, urged the Texas attorney general in a letter to withdraw his request for information.

Gray McBride, a spokesman for Morales, said the state would respond to the letter Wednesday with its next step.

"That will be entailed in our response," said McBride. "But this has transpired: They (Tilton's ministry) have now stated they will not respond to our request for records, and ask that it be withdrawn."

He said earlier that a change in the Farmers Branch-based ministry's corporation status did not derail the state's investigation.

"An alteration in the corporate structure of an organization on one day does not provide blanket protection for accountability for any actions taken the previous day," said McBride.

Joyce said he stated Word of Faith World Outreach Center Church's legal position in the letter.

"The AG's office had claimed civil authority in this case. All we have done is we don't believe civil authority should interfere in internal affairs of the church," Joyce said.

"So we changed our status to be equal with reality. It has always been a church," he said.

Joyce said Tilton has nothing to hide, and that his church opened its books to the Federal Bureau of Investigation and U.S. postal inspectors just days after the ABC report.

"Those two agencies are still looking through books," Joyce said, adding that Tilton's ministry had waived its attorney-client privilege with him in regard to the inquiry.

Joyce said that move allows the FBI and postal inspectors to get any information they need more easily.

Dan Vogel, a spokesman with the FBI office in Oklahoma City said Tuesday he could not confirm or deny that the agency was examining the ministry's books.

**The Association of Former Students Spring Senior Induction Banquet**

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