



The Office of Vince Ryan  
County Attorney

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June 6, 2014

Attention: Karen Hattaway  
Office of Attorney General  
Supreme Court Building  
P. O. Box 12548  
Austin, Texas 78711-2548

*Via Facsimile: (512) 481-1992*

Attention: Education and Enforcement Section  
Open Records Division

Re: Public Information complaint from Bill Kenny; OAG ID.521431.

Dear Ms. Hattaway:

On May 21, 2014, the Harris County Sheriff's Office received the above-noted complaint from the Office of Attorney General. In this complaint, the requestor, Mr. Kenny asserted that the HCSO did not comply with his request. I am writing this letter to address Mr. Kenny's complaints.

- 1) Complaint: My IAD complaint against Ben Luce – was not received from this ruling.

Response: Mr. Kenny was previously provided a copy of his IAD complaint file. A copy of his complaint is attached to this letter.

- 2) Complaint: My IAD complaint against Ben Luce – never received the "Case History Report."

Response: Mr. Kenny was previously provided with a copy of his IAD complaint file. A copy of his case history report is attached.

- 3) Complaint: My IAD complaint against Ben Luce – never received the Internal Affairs Case Route Procedures.

Response: No responsive records exist.

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\*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

TX/RX NO	0099
RECIPIENT ADDRESS	
DESTINATION ID	
ST. TIME	06/06 17:18
TIME USE	06'58
PAGES SENT	11
RESULT	OK

SHERIFF ADRIAN GARCIA



HARRIS COUNTY SHERIFF'S OFFICE  
Office of Inspector General  
NON-EMPLOYEE Sworn Statement  
of  
William Kenny

STATE OF TEXAS §  
COUNTY OF HARRIS §

CASE# 12-0081-0305

Before me, the undersigned authority in and for the State of Texas on this, the 9th day of March, 2012 at the 49 San Jacinto, Internal Affairs Office at 9:40 AM, personally appeared William Kenny, who, after being duly sworn, deposes and says:

My full name is William Francis Kenny. I am a white male, 59 years of age. My date of birth is 10/20/52. My Social Security Number is 120-42-7978. My Texas Driver's License number is 06390253. I reside at 19406 Gooselake Lane, Houston, Tx. 77084 with alone. My home telephone number is 281-578-6736. My cellular telephone number is . I am employed at Family Grocery.Com located at home. My business telephone number is same. I am a student at n/a in the grade.

I have been informed that under the Penal Code of the State of Texas, Section 37.02; a person commits the offense of "Perjury" if, with the intent to deceive, and the knowledge of a statement's meaning, he makes a false statement under oath or swears to the truth of a false statement previously made, and the statement is required or authorized by law to be under oath.

**STATEMENT**

I Bill Kenny believe, based upon data currently available and not taking into consideration the data that will surface from a simple investigation that a police cover-up occurred and a criminal is going unpunished. The investigation will require authority, but not much clock time. I believe that Mr. Joe Felice knowing, willfully, and intentionally dialed 9-1-1 and lied to deceived law enforcement officials and falsely reported that Bill Kenny made a TERRORIST THREAT to kill Mr. Joe Felice. This alleged TERRORIST THREAT occurred during a call that Mr. Felice placed to Bill Kenny on Feb. 14 around 7pm.

Mr. Joe Felice, called Bill Kenny, at his residence around 7pm on Feb. 14th. Bill Kenny answered the phone at his home at 19406 Gooselake Lane. After Bill Kenny told Joe Felice that his wife and step daughter could not come to the phone Joe Felice dialed 9-1-1. He reported that Bill Kenny had THREATENED TO KILL HIM. Joe Felice sent the police to 2111 Blindlake Drive. Joe Felice went to 2111 Blindlake Drive to meet the police, have Bill Kenny arrested, and sent to jail. However Bill Kenny was not there, Bill Kenny was at his home.

3 patrol cars were dispatched based upon Joe Felice TERRORIST THREAT allegation. Deputy Luce and 2 other unidentified deputies arrived at 2111 Blindlake around 7pm. Lisa Kenny, Margaret Felice, and James Kenny answered the door when the deputy rang the bell. To their surprise there were 2 deputies standing on the porch. No one had any idea why the police were at the house.



**SHERIFF ADRIAN GARCIA**



At that time, Mr. Joe Felice came up to the porch and said 'I CALLED THEM', 'THAT FUCKER THREATENED TO KILL ME'.

William E. Kenny my son was returning home from working at HEB around 7:10pm. He saw 3 police cars and there were 2 deputies conferring with Margaret and Joe Felice on the porch. His mother Lisa Kenny was not on the porch. Joe Felice again repeated that Bill Kenny THREATENED TO KILL HIM.

The Deputies realized that Joe Felice was not credible. Deputy Luce instead of enforcing the law, reporting the facts, and holding Joe Felice accountable for his actions, decided to change the call from a TERRORIST THREAT to a domestic disturbance in order and sweep it under the rug.

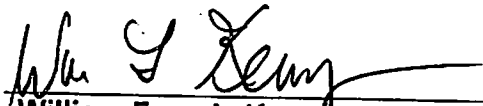
2 days later Bill Kenny found out this incident occurred when his children told him about it. Bill Kenny was very upset that he was never notified by the police of the TERRORIST THREAT or that he was the SUBJECT OF A POLICE REPORT. This cannot be proper police protocol, this is wrong!

Bill Kenny started gathering facts about what had taken place behind his back. Based upon the data available Bill Kenny came to the conclusion, that any unbiased 3rd party would, and that is a cover-up had occurred. And Deputy Luce attempted to cover-up this incident was sweep under the rug.

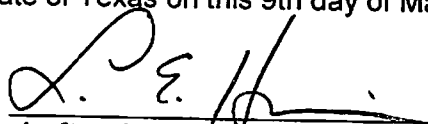
Bill Kenny is hitting brick walls trying to unravel this cover-up. Bill Kenny has spoken to Deputy Luce, Supervisor Hayes, and Inspector Thomas without satisfaction. Even though over whelming evidence exists that a police cover-up occurred Bill Kenny does not have the authority to expose this injustice.

Bill Kenny requests a full investigation into this cover-up and hopes OIG/Internal Affairs will not join in this conspiracy and this pursuit of justice ends here. Bill Kenny will take a polygraph and cooperate fully in this investigation, and prays there will be no retaliation for bringing this to your attention. My wife e-mailed me on 3/7/2012. She advised me that "SHE DID NOT FILE A POLICE REPORT."

I can read and write the English language and have read this statement consisting of 2 pages. Furthermore, I find it to be true and correct to the best of my knowledge.

  
William Francis Kenny 3/8/12  
03/09/12

Sworn to and subscribed to before me the undersigned authority, while engaged in, and related to, the performance of my duties as a Peace Officer for the State of Texas on this 9th day of March, 2012 A. D.

  
Lofton Harrison, Acting Captain 3.9.12  
Internal Affairs Division 03/09/12

SHERIFF ADRIAN GARCIA



Office of Inspector General
Internal Affairs Division
NON-EMPLOYEE INFORMATION

IAD Case # 12-0081-0305

FULL NAME: KENNY William F
Last First Middle

RACE: W SEX: M AGE: 59 DATE OF BIRTH: 10-20-52

DRIVERS LICENSE # STATE: TX SOCIAL SECURITY: 120-42-7978

HOME ADDRESS: 19406 GooseLAKe Ln Hou Tx 77084
street address city state zip code

HOME PHONE: 281-578-6729 CELL PHONE: OTHER PHONE:

I LIVE THERE WITH: SELF
Names of: (Wife, Husband, Children, Parents or, if applicable, "I live alone")

CIRCLE YOUR LEVEL OF EDUCATION: G.E.D or High School

CIRCLE YEARS OF COLLEGE ATTENDED: 1 2 3 4 5 6 Degree Obtained: AAS
Yes or No

PRESENTLY EMPLOYED BY: FAMILY GOOSEY.COM
if NOT employed, state "NOT EMPLOYED" or "FULL-TIME STUDENT" etc.

WORK ADDRESS: Home
street address city state zip code

WORK PHONE: TYPEWORK/POSITION: PROGRAMMER

MY WIFE/HUSBAND/PARTNER IS EMPLOYED BY:

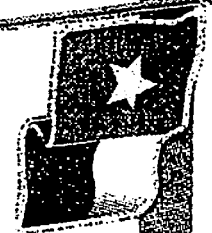
WORK ADDRESS:
street address city state zip code

WORK PHONE: CELL PHONE:

I, William F KENNY, WILL SUBMIT TO A POLYGRAPH EXAMINATION
CONCERNING MY SWORN STATEMENT YES OR NO

Today's date: Feb 29/12 Time: 12:19 A.M. or P.M.

Signature: [Signature] Normal Signature WITNESS: SGT. J. HERWOOD
IAD Investigator's Printed Name and Signature



**TEXAS**

**DEPARTMENT OF PUBLIC SAFETY  
DRIVER LICENSE**



*Stanton's Club*

DIRECTOR

**CLASS: C DL: 06390253**

**DOB: 10-20-52 HT: 6-01**

**EXPIRES: 10-20-14 EYES: BLU**

**REST: SEX: M**

**END:**

**KENNY, WILLIAM FRANCIS  
2111 BLINDLAKE DR  
HOUSTON TX 77084**

*Wm 299 Kenny*



**08304034880**



# HARRIS COUNTY SHERIFF'S OFFICE

## Office of Inspector General

### INTERNAL AFFAIRS CASE HISTORY REPORT

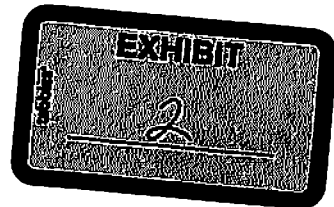
Report Date : 04/10/2012  
IAD Case # : 12-0081-0305  
Subject Employee : Deputy Benjamin Luce, EIN 121838  
Current Assignment : District IV, Patrol Bureau

The below Internal Affairs Case History Report is a review of the employee's PEWS history and personnel file including all incidents, past and present. In addition, the Report provides the dispositions of said incidents.

#	IAD CASE #	DATE	ALLEGATION	DISPOSITION
1.	11-0108-0706	07/06/2011	Violation of Policy	Exonerated
<b>SUSTAINED VIOLATION</b>			<b>DISCIPLINARY ACTION</b>	

#	IAD CASE #	DATE	ALLEGATION	DISPOSITION
2.		09/01/2011	Fleet	at fault
<b>SUSTAINED VIOLATION</b>			<b>DISCIPLINARY ACTION</b>	
Letter of Reprimand				

#	IAD CASE #	DATE	ALLEGATION	DISPOSITION
3.				
<b>SUSTAINED VIOLATION</b>			<b>DISCIPLINARY ACTION</b>	







May 1, 2013

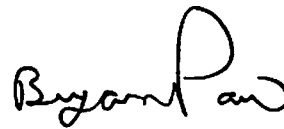
IAD Case # 13-0180-0501

## MEMO to File

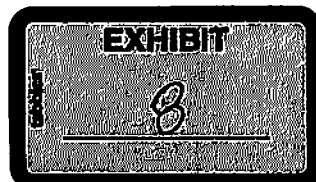
**Subject: William Kenny**

On Tuesday, April 30, 2013, Mr. Kenny came to the Internal Affairs Office to complain about the disposition of IAD case # 12-0081-0305, which was closed "Not-sustained".

There is not an appeals process for IAD investigations. Therefore no further action will be taken by the Internal Affairs Division.



Bryan Pair, Lieutenant  
Office of Inspector General





SHERIFF ADRIAN GARCIA

HARRIS COUNTY SHERIFF'S OFFICE
Office of Inspector General
NON-EMPLOYEE Sworn Statement
of
WILLIAM FRANCIS KENNY

STATE OF TEXAS §
COUNTY OF HARRIS §

CASE#

Before me, the undersigned authority in and for the State of Texas on this, the 29th day of April, 2013 at the Harris County Sheriff's Office Office of Inspector General Internal Affairs Division 49 San Jacinto Suite # 322 Houston, Texas at 10:30 am, personally appeared William Kenny, who, after being duly sworn, deposes and says:

My full name is William Francis Kenny. I am a white male, 60 years of age. My date of birth is 10/20/1952. My Social Security Number is 120-42-7978. My Texas Driver's License number is 06390253. I reside at 19406 Gooselake Lane Houston, Texas 77084. My work telephone number is 713 280-5152. My cellular telephone number is 281 578-6736. I am employed at Family Grocery located at my home.

I have been informed that under the Penal Code of the State of Texas, Section 37.02; a person commits the offense of "Perjury" if, with the intent to deceive, and the knowledge of a statement's meaning, he makes a false statement under oath or swears to the truth of a false statement previously made, and the statement is required or authorized by law to be under oath.

STATEMENT OF WILLIAM KENNY

On February 14th, 2012, an incident occurred at 2111 Blind Lake Drive in Houston, Texas at approximately 4pm. Later, although I was not at the location but I understand the police were called at 7pm by Joe Felice on 911. The call stated that Bill Kenny has gone nuts, and had committed domestic violence. Mr. Felice also stated that Bill Kenny had threatened him. To kill him

According to the police report, (12-21366) that was taken by Harris County Sheriff's Office Deputy Luce, intentionally omitted placing in the report that Joe Felice stated that I had threatened Joe Felice's life. My son, James (15 YOA), told me that Joe Felice came running up and stated "That fucker (me) threatened to kill me." I did not see Joe's name anywhere in the report, and I feel Deputy Luce filtered his report to cover up for Joe Felice.

If it had been left like that, that would be one thing. To make some report, I guess, Deputy Luce took a statement from my ex-wife, Lisa Kenny, Deputy Luce got the victim and the suspect backwards. He listed me as the Suspect and Lisa as the Complainant. Deputy Luce swept this situation under the rug, he turned in a "non-event report." It was completely backwards. Deputy Luce listened to Lisa and did not even try to take my statement, even though I was only three blocks away. Deputy Luce is our

SHERIFF ADRIAN GARCIA



subdivision deputy and he knows the streets. He could have come and seen me, but he didn't. That was wrong.

AND SAW MY IPHONE

WJA I next went back to Deputy Luce and explained to him that he had got things wrong in his report, and refused to repair the mistakes. I next went to Sergeant Hayes. Sergeant Hayes looked at the report and agreed there was nothing in the report reflecting there had been a terroristic threat reported by Joe Felice. This is where Joe Felice stated to the deputies in front of witnesses that I had made a terroristic threat against him. I don't think he did anything wrong. I was asking him to fix this thing.

WJA I next went to Sergeant Thomas and he told me that Joe Felice called the Sheriff's Office because he was concerned with the safety of the women. I asked Sergeant Thomas to get the facts written in corrected to reflect what actually happened. He refused to correct the report even though I insisted in a full investigation.

WJA The basic complaint I have is that Deputy Luce intentionally wrote a false report when he failed to document the fact that Joe Felice made the false accusation against me that I had threatened him. That was intentionally omitted from the report, and the suspect and complainant were listed backwards. I believe there was a cover up for Joe Felice.

WJA I later came to the Internal Affairs Division of the Harris County Sheriff's Office, and they rubber stamped it. I spoke with Lofton Harrison, and Sergeant J. Herndon investigated my complaint under Internal Affairs Division case number 12-0081-0305. She failed to properly investigate my complaint, because I received a letter from the Harris County Sheriff's Office which stated this complaint was "Not Sustained."

WJA I next went to the Harris County Sheriff's Office and complained to Sergeant Weinel, who accepted my complaint. I met with him and Sergeant Thomas at 601 Lockwood. The case had already been closed. I presented him with evidence and he re-opened the case. I explained to Sergeant Weinel that I had already spoken with Sergeant Thomas, and I felt Sergeant Thomas ran a "clean-up operation" to cover up the mistakes previously made by Deputy Luce. They went and talked to my brother, Joe Kenny and Lisa Kenny and took their statements. I gave other names but they were never contacted. The people were: Janet Padilla, who Sergeant Thomas said never returned his phone call. There was another lady who lived across the street, I don't remember her name. I also gave them seven photos. All three of my sons, James (15), Alex (19) and William (20). None of them were ever contacted. A statement was never taken from Joe Felice, the one who I later found had made the 911 call. I don't know, but I do believe that someone coached Lisa in her statement. Sergeant Thomas was the one who took her statement. I don't think she gave the statement I later received unless she was coached.

WJA I want to have this entire situation investigated to resolve the false representations made by Joe Felice, Lisa Kenny, Deputy Luce and Sergeant Thomas.

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SHERIFF ADRIAN GARCIA

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I later went to the Police Integrity Division and to the Intake Division of the H.C.D.A. and presented my complaint to Assistant District Attorney Chase at Intake Assistant District Attorney Wilhelm, but he refused to investigate it. I also spoke with Judge Hannah Chow.

END.

See my STMT FOR MORE INFO WITH

I can read and write the English language and have read this statement consisting of three pages. Furthermore, I find it to be true and correct to the best of my knowledge.

  
William Kenny 04/29/2013

Sworn to and subscribed to before me the undersigned authority, while engaged in, and related to, the performance of my duties as a Peace Officer for the State of Texas on this 29<sup>th</sup> day of April, 2013 A. D.

  
Lawrence Rush, Sergeant  
Internal Affairs Division