

**GENERAL ASSEMBLY OF NORTH CAROLINA
EXTRA SESSION 2008**

H

**Simple
Resolution
Adopted**

**HOUSE RESOLUTION 2
Adopted 3/20/08**

Sponsors: Representatives Glazier and Stam (Primary Sponsors).

Referred to:

March 20, 2008

1 A HOUSE RESOLUTION TO EXPEL REPRESENTATIVE THOMAS E. WRIGHT
2 FOR UNETHICAL CONDUCT UNFITTING AND UNBECOMING A MEMBER
3 OF THE HOUSE OF REPRESENTATIVES.

4 Whereas, under the North Carolina Constitution, the House has the inherent
5 authority to discipline its own members, a power not otherwise limited by the
6 Constitution and thereby remaining with the people of North Carolina which is to be
7 acted upon by and through their elected representatives; and

8 Whereas, Article II, Sec. 20 of the North Carolina Constitution states "[e]ach
9 house [of the General Assembly] shall be the judge of the qualifications and elections of
10 its own members..." acknowledging the inherent authority of the House of
11 Representatives to judge whether a member is no longer qualified to serve because that
12 member engaged in conduct unbecoming and unfitting a member of the House; and

13 Whereas, the General Assembly has recognized the authority of the House of
14 Representatives to discipline or expel its members by the enactment of
15 G.S. 120-103.1(m); and

16 Whereas, the General Assembly has acted under its constitutional powers,
17 explicit and inherent, to discipline or expel its members at least thirteen times
18 previously; and

19 Whereas, as authorized by the Speaker of the House of Representatives, the
20 House Select Committee to Investigate Alleged Misconduct and Other Matters Included
21 in Indictments Against Representative Thomas E. Wright conducted an investigation
22 into the conduct of Representative Thomas E. Wright; and

23 Whereas, the Committee conducted an investigation into the matters reflected
24 in the indictments against Representative Wright and other allegations of possible
25 unethical or unlawful conduct against him; and

26 Whereas, the Committee met on eight separate days: December 18, 2007, to
27 adopt rules, January 9, 2008, to conduct a probable cause hearing, February 11, 2008, to
28 hear and rule on dispositive motions, February 25, 2008, to approve witnesses and

1 authorize subpoenas, and March 3 through March 6, 2008, to conduct an evidentiary
2 hearing; and

3 Whereas, written notice of charges of unethical conduct by Representative
4 Thomas E. Wright were initially sent to Representative Wright on January 11, 2008, by
5 the Committee; and

6 Whereas, Representative Wright was allowed to be represented by legal
7 counsel before the Committee; and

8 Whereas, Representative Wright was allowed to respond to the charges and
9 did so on January 25, 2008; and

10 Whereas, Representative Wright was allowed to file dispositive motions, file
11 legal briefs in support of his motions, and make oral legal arguments on his motions
12 before the Committee and did so on February 11, 2008; and

13 Whereas, Representative Wright was provided with a list of all witnesses who
14 might be called to testify against him, together with a summary of their anticipated
15 testimony on February 12, 2008; and

16 Whereas, on February 22, 2008, Representative Wright was provided with a
17 copy of all documents that might be offered into evidence at the evidentiary hearing;
18 and

19 Whereas, Representative Wright was given the opportunity to confront all
20 witnesses testifying under oath against him, including the right to cross-examine all
21 witnesses and did so; and

22 Whereas, Representative Wright was given the opportunity to present
23 witnesses and other evidence on his behalf at the evidentiary hearing, including the right
24 to have witnesses subpoenaed to testify, but he did not do so; and

25 Whereas, Representative Wright was given the opportunity to present
26 arguments to the Committee at the conclusion of the presentation of evidence and did
27 so; and

28 Whereas, after the Committee made its determinations as to which of the
29 charges against Representative Wright were true by clear and convincing evidence,
30 Representative Wright was given an opportunity to make arguments and present
31 precedents with regards to the appropriate sanctions the Committee should recommend
32 to the House of Representatives in light of its findings that Representative Wright
33 committed conduct unfitting and unbecoming a member of the House of
34 Representatives, but he did not do so; and

35 Whereas, at the evidentiary hearing, the Committee heard sworn testimony
36 from seven witnesses, received 21 documents into evidence, and heard arguments from
37 the Committee's Outside Counsel and counsel for Representative Wright; and

38 Whereas, at the evidentiary hearing, Representative Wright called no
39 witnesses and offered no evidence for consideration; and

40 Whereas, Representative Wright has been afforded due process of law by the
41 Committee; and

42 Whereas, the Committee attached to and incorporated by reference as part of
43 its Report to the 2007 House of Representatives the transcriptions of the February 11
44 and March 3 through 6, 2008, meetings together with all exhibits admitted into

1 converting money intended to be a charitable contribution to The Community's Health
2 Foundation, Inc. to his own personal use. Thomas E. Wright wrote a letter on the
3 letterhead stationery of The Community's Health Foundation, Inc. to a representative of
4 AstraZeneca Pharmaceuticals, LP, requesting as the Foundation's president a donation
5 to the Foundation, a charitable organization that Thomas E. Wright represented to be
6 qualified to receive tax-deductible donations, that would be used by the Foundation for
7 various health related purposes, including but not limited to educational initiatives, a
8 needs assessment, identification of trends and bridging the gap of minority health care
9 for an underserved population in New Hanover County. Thereafter, when on December
10 15, 2003, a representative of AstraZeneca Pharmaceuticals, LP signed and sent to
11 Thomas E. Wright and The Community's Health Foundation, Inc., a check made out to
12 "Communitys Hlth Found Inc" in the amount of \$2,400.00, Thomas E. Wright deposited
13 that check into his own personal account rather than into the account of The
14 Community's Health Foundation, Inc.

15 **COUNT 4**

16 On or about February 6, 2004, while a member of the House of
17 Representatives, Thomas E. Wright did engage in conduct unbecoming and unfitting a
18 member of the House of Representatives by improperly, fraudulently, and unethically
19 converting money intended to be a charitable contribution to The Community's Health
20 Foundation, Inc. to his own personal use. Thomas E. Wright wrote a letter on the
21 letterhead stationery of The Community's Health Foundation, Inc. to a representative of
22 Anheuser-Busch Companies, Inc., requesting as the Foundation's president a donation to
23 the Foundation, a charitable organization that Thomas E. Wright represented to be
24 qualified to receive tax-deductible donations, that would be used by the Foundation for
25 acquisition and development of a building in Wilmington, North Carolina that would
26 serve as a museum. Thereafter, on March 5, 2004, when a representative of
27 Anheuser-Busch Companies, Inc. signed and sent to Thomas E. Wright and The
28 Community's Health Foundation, Inc., a check made out to "Communitys Health
29 Foundation Inc" in the amount of \$5,000, Thomas E. Wright deposited that check into
30 his own personal account rather than into the account of The Community's Health
31 Foundation, Inc.

32 **COUNT 5**

33 On or about April 1, 2004, while a member of the House of Representatives,
34 Thomas E. Wright did engage in conduct unbecoming and unfitting a member of the
35 House of Representatives by improperly, fraudulently, and unethically converting
36 money intended to be a charitable contribution to The Community's Health Foundation,
37 Inc. to his own personal use. Thomas E. Wright wrote an invoice on the letterhead
38 stationery of The Community's Health Foundation, Inc. to a representative of AT&T
39 Corp. as a solicitation of a charitable contribution to the Foundation, a charitable
40 organization that Thomas E. Wright represented to be qualified to receive tax-deductible
41 donations. Thereafter, on April 1, 2004, when a representative of AT&T Corp. signed
42 and sent to Thomas E. Wright and The Community's Health Foundation, Inc., a check
43 made out to "Communitys Health Foundation I" in the amount of \$1,500, Thomas E.

1 Wright deposited that check into his own personal account rather than into the account
2 of The Community's Health Foundation, Inc.

3 **COUNT 7**

4 Between January 1, 2000 and January 31, 2007, while a member of the North
5 Carolina House of Representatives, Thomas E. Wright did improperly, fraudulently, and
6 unethically engage in a pattern of conduct unbecoming and unfitting a member of the
7 House of Representatives by intentionally failing to disclose approximately \$180,000.00
8 in contributions received by his campaign during that time period, which disclosures are
9 required by law and are intended to safeguard the public trust and to preserve the
10 integrity of the electoral process, the integrity of the House of Representatives, and the
11 integrity of the legislative process. The contributions that are the subject of this Count
12 are set out in Exhibit 15 of the Committee hearing held March 3-6, 2008 as modified by
13 the testimony of Kim Strach, Deputy Director of the State Board of Elections, and
14 incorporated into this Count by reference.

15 **COUNT 8**

16 Between on or about October, 2001 and on or about August, 2004, while a
17 member of the North Carolina House of Representatives, Thomas E. Wright did engage
18 in a pattern of conduct unbecoming and unfitting a member of the House of
19 Representatives by improperly, fraudulently, deceptively, and unethically soliciting a
20 false document from a State agency and soliciting corporations for donations to a
21 charitable corporation, The Community's Health Foundation, Inc., and by converting to
22 his own personal use money contributed to that charitable organization; and

23 Whereas, as to Count 2, evidence was presented at the hearing as to that
24 Count but no finding was made by the Committee. As to Count 6, no evidence was
25 presented at the hearing as to Count 6 and that Count was not considered by the
26 Committee at that time. The Committee retained jurisdiction over Counts 2 and 6 for
27 possible further consideration; and

28 Whereas, based on its findings that the allegations in Counts 1, 3, 4, 5, 7, and
29 8 are true, following arguments by Committee Counsel as to the appropriate sanction,
30 and after discussion by the Committee, the Committee unanimously recommended that
31 Representative Wright be expelled as a member of the House of Representatives; Now,
32 therefore,

33 Be it resolved by the House of Representatives:

34 **SECTION 1.** The House of Representatives finds that the allegations in
35 Counts 1, 3, 4, 5, 7, and 8, as found by the House Select Committee to Investigate
36 Alleged Misconduct and Other Matters Included in Indictments Against Representative
37 Thomas E. Wright, are true.

38 **SECTION 2.** Representative Thomas E. Wright is hereby expelled as a
39 member of the House of Representatives for unethical and unlawful conduct
40 unbecoming and unfitting for a member of the House of Representatives.

41 **SECTION 3.** The seat for the 18th District of the 2007 House of
42 Representatives is declared vacant.

43 **SECTION 4.** This resolution is effective upon adoption.