

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

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**HOUSE RESOLUTION 2**

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Sponsors: Representatives Glazier and Stam (Primary Sponsors).

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Referred to:

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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  
29 authorize subpoenas, and March 3 through March 6, 2008, to conduct an evidentiary  
30 hearing; and

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

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

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

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

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

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

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

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

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

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

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

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

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

40           Whereas, the Committee attached to and incorporated by reference as part of  
41 its Report to the 2007 House of Representatives the transcriptions of the February 11  
42 and March 3 through 6, 2008, meetings together with all exhibits admitted into  
43 evidence; dispositive motions made by Representative Wright, the legal briefs on those  
44 motions, and the rulings on those motions; the Second Revised Notice of Charges of



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

13 **COUNT 4**

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

30 **COUNT 5**

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

44 **COUNT 7**

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

#### 12 **COUNT 8**

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

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

25 Whereas, based on its findings that the allegations in Counts 1, 3, 4, 5, 7, and  
26 8 are true, following arguments by Committee Counsel as to the appropriate sanction,  
27 and after discussion by the Committee, the Committee unanimously recommended that  
28 Representative Wright be expelled as a member of the House of Representatives; Now,  
29 therefore,

30 Be it resolved by the House of Representatives:

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

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

38 **SECTION 3.** The seat for the 18<sup>th</sup> District of the 2007 House of  
39 Representatives is declared vacant.

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