



**Office of Speaker Joe Hackney
North Carolina House of Representatives
Raleigh, North Carolina 27601-1096**

**HOUSE SELECT COMMITTEE TO INVESTIGATE ALLEGED MISCONDUCT
AND OTHER MATTERS INCLUDED IN INDICTMENTS AGAINST
REPRESENTATIVE THOMAS E. WRIGHT**

**TO THE HONORABLE MEMBERS OF THE
NORTH CAROLINA HOUSE OF REPRESENTATIVES**

Whereas, the State Board of Elections conducted a hearing on May 15, 2007, to consider allegations and evidence of alleged violations by Representative Thomas E. Wright of campaign finance regulations and other possible criminal wrongdoing; and

Whereas, after that hearing the State Board of Elections referred the matter to the Wake County District Attorney to consider criminal charges against Representative Wright; and

Whereas, on May 21, 2007, the Speaker requested the Legislative Ethics Committee investigate the alleged violation of the Legislative Ethics Act or the criminal law, or both, by Representative Wright; and

Whereas, on December 10, 2007, the Wake County Grand Jury indicted Representative Wright on six felony charges: five of obtaining property by false pretenses and one of obstruction of justice; and

Whereas, on December 12, 2007, the Legislative Ethics Committee made to the House of Representatives and to the Speaker of the House of Representatives the following initial report of that Committee's findings in its ongoing investigation:

"The Legislative Ethics Committee has considered the indictments rendered by the grand jury sitting in Wake County in the matter of State of North Carolina v. Thomas E. Wright, contained in criminal files 07 CRS 84372, 84373, 84374, 84375, 84376 and 84377, charging felonies of obtaining property by false pretenses and a felony of obstruction of justice with respect to campaign finance reports.

Having considered the evidence presently available to it and having assumed that evidence to be true, the Committee has concluded that under the Legislative Ethics Act as it existed at the time the matters in these indictments are alleged to have occurred, the Committee's jurisdiction under the then existing law would not reach the matters alleged in the indictments.

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However, the Committee finds that, if true, the acts alleged in the indictments are unethical and warrant such action as the House of Representatives may determine.

The Committee refers the specific matters contained in Wake County criminal files 07 CRS 84372, 84373, 84374, 84375, 84376 and 84377 to the North Carolina House of Representatives for such action as the House deems appropriate under Article II, § 20, of the North Carolina Constitution. The Committee notes that the jurisdiction of the House of Representatives in this matter is broader than that which is statutorily granted to the Committee under the former Legislative Ethics Act." ; and

Whereas, the Legislative Ethics Committee continues to have jurisdiction over matters related to its powers under Article 14 of Chapter 120 and the conduct of Representative Wright and may make further reports to the House of Representatives and the Speaker of the House of Representatives; and

Whereas, Article II, Section 20, of the North Carolina Constitution requires each house of the General Assembly to be the judge of the qualifications of its members; and

Whereas, Article VI, Section 8, of the North Carolina Constitution provides that a member of the General Assembly is disqualified from his or her office if adjudged guilty of treason, any other felony, or corruption or malpractice in any office; and

Whereas, the House of Representatives possesses the inherent power of a legislative body to discipline its members for violations of its rules, for unlawful behavior, for unethical conduct, for corruption or malpractice in office, for violations of the oath of office, and for offenses injurious to the House; and

Whereas, it is now necessary for the House of Representatives to investigate the matters alleged in the indictments against Representative Wright and other allegations of misconduct in order to determine their truth and, if so, to determine his qualifications to continue to hold office as a member of the House of Representatives as required by the Constitution; and

Whereas, it is now necessary for the House of Representatives to investigate the matters alleged in the indictments against Representative Wright and other allegations of misconduct in order to determine their truth and, if so, to determine whether his conduct violates the rules of the House, violates his oath of office, is unlawful or unethical, is corrupt or constitutes malpractice in office, is abuse of office, or is injurious to the House, and whether within the inherent powers to discipline its members the House of Representatives shall impose any sanctions against Representative Wright;

Now, therefore:

Section 1. The House Select Committee to Investigate Alleged Misconduct and Other Matters Included in Indictments Against Representative Thomas E. Wright is established by the Speaker as a select committee of the House pursuant to G.S. 120-19.6(a) and Rule 26(a) of the Rules of the House of Representatives of the 2007 General Assembly.

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Section 2. The Select Committee consists of six House members. The individuals listed below are appointed as members of the Select Committee. Members serve at the pleasure of the Speaker of the House of Representatives.

Representative Rick Glazier, Chair
Representative Paul Stam, Vice Chair
Representative Marvin W. Lucas
Representative William C. McGee
Representative Edith D. Warren
Representative Laura I. Wiley

Section 3. The Select Committee shall investigate the matters reflected in the attached indictments against Representative Thomas E. Wright and other allegations of possible unethical or unlawful conduct that are outside the jurisdiction of the Legislative Ethics Committee applying the substantive law in effect before January 1, 2007. The Select Committee shall also investigate any additional matters referred to it by the Speaker upon a report of the Legislative Ethics Committee.

Section 4. The Select Committee shall conduct a preliminary investigation to determine whether there is probable cause that Representative Wright has committed unethical or unlawful conduct. The Select Committee shall notify Representative Wright of its determination and any charges against him. If the Select Committee determines there is probable cause to proceed, it shall conduct an evidentiary hearing to determine whether Representative Wright's conduct was unethical or unlawful and constitutes grounds for sanctions by the House of Representatives. If the Select Committee finds that the conduct was not unethical or unlawful or that no sanctions are warranted, the Select Committee shall report this to the House of Representatives and to Representative Wright. If the Select Committee determines that Representative Wright's conduct was unethical or unlawful and that sanctions should arise, the Select Committee shall report its Findings to the House of Representatives and to Representative Wright. The report shall also include recommended legislation for appropriate action, which may include reprimand, censure, or expulsion.

Section 5. The Select Committee shall promptly adopt rules of procedure, a copy of which shall be delivered to Representative Wright. To the extent practical, the Select Committee shall conduct its work in concert with the work of the Legislative Ethics Committee.

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Section 6. Representative Wright has the right to be present, present evidence, cross-examine witnesses, and to be represented by legal counsel at any evidentiary hearing of the Select Committee.

Section 7. The Select Committee may meet during the interim period or during sessions upon the call of its chair.

Section 8. The Select Committee is vested with the authority contained in Article 5A of Chapter 120 of the General Statutes.

Section 9. The Legislative Services Officer shall assign professional and clerical staff to assist the Select Committee in its work. The Director of Legislative Assistants of the House of Representatives shall assign clerical support staff to the Select Committee.

Section 10. Members of the Select Committee shall receive per diem, subsistence, and travel allowance at the rate established in G.S. 120-3.1.

Section 11. The expenses of the Select Committee are considered expenses incurred for the operation of the House of Representatives and shall be paid pursuant to G.S. 120-35 from funds available to the House of Representatives for its operations. Individual expenses of \$5,000 or less, including per diem, travel, and subsistence expenses of members of the Select Committee, and clerical expenses shall be paid upon the authorization of the chair of the Select Committee. Individual expenses in excess of \$5,000 shall be paid upon the written approval of the Speaker of the House of Representatives. The Select Committee may arrange for or contract for professional, clerical, or consultant services, as approved by the Speaker of the House of Representatives.

Section 12. The Select Committee shall continue until dissolved by the Speaker of the House of Representatives. The Speaker of the House of Representatives may dissolve the Select Committee at any time.

Effective this 13th of December, 2007.



Joe Hackney
Speaker

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