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North Carolina House of Representatives

House Select Committee to Investigate Alleged Misconduct and Other Matters Included in Indictments Against Representative Thomas E. Wright

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REPRESENTATIVE PAUL STAM, VICE-CHAIR
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REPRESENTATIVE BILL MCGEE
REPRESENTATIVE EDITH WARREN
REPRESENTATIVE LAURA WILEY

SECOND REVISED NOTICE OF CHARGES OF UNETHICAL CONDUCT BY REPRESENTATIVE THOMAS E. WRIGHT

(Amended February 11, 2008 and March 6, 2008)

The House Select Committee to Investigate Alleged Misconduct and Other Matters Included in Indictments against Representative Thomas E. Wright, having convened for hearing the report of preliminary investigative findings on questions of possible unethical and unlawful conduct, hereby finds that there is probable cause to believe that Representative Thomas E. Wright, a member of the House of Representatives, has engaged in unethical and unlawful conduct during his tenure as a member of the North Carolina House of Representatives by committing the following acts specified in Counts 1 through 8 of this Notice, as amended. The Committee, by unanimous vote of the members present, hereby charges that the conduct specified in Counts 1 through 8, as amended, should be considered against Representative Thomas E. Wright:

COUNT 1

Between on or about March 13, 2002 and on or about March 15, 2002, while a member of the North Carolina House of Representatives, Thomas E. Wright did engage in conduct unbecoming and unfitting a member of the House of Representatives by orally and in writing improperly and unethically soliciting Torlen L. Wade, Acting Director of the North Carolina Department of Health and Human Services Office of Research, Demonstrations, and Rural Health Development, to write and mail to him a fraudulent letter stating that such Office was endorsing The Community's Health Foundation's project to convert a building located on the 900 block of 4th Street in Wilmington, North Carolina into Community's Health Foundation offices, New Hanover Community Health Center offices, and a History Museum and committing \$150,000.00 in funding toward the completion of that project. At the time of the solicitation, Thomas E. Wright was an officer of The Community's Health Foundation, Inc., located at 322 South 17th Street in Wilmington, North Carolina. Thomas E. Wright confirmed his earlier oral solicitation by having his legislative assistant type the necessary details needed

in the commitment letter in an e-mail that was sent to Torlen L. Wade by use of his State e-mail account and on a State computer, both of which were authorized for him based on his position as a member of the North Carolina House of Representatives. At the time of the oral solicitation, the typing and sending of the e-mail, and the typing and sending of the Torlen L. Wade letter, both Thomas E. Wright and Torlen L. Wade knew that the Office of Rural Health would not make such a grant and that Thomas E. Wright would use the letter in seeking to fraudulently obtain funding for The Community's Health Foundation from other sources such as financial institutions and other organizations that make grants and that would believe and rely on the false representations in Torlen L. Wade's letter.

COUNT 2

On or about April 5, 2002, while a member of the North Carolina House of Representatives, Thomas E. Wright did engage in conduct unbecoming and unfitting a member of the House of Representatives by, orally and in writing, improperly, fraudulently, and unethically presenting to a representative of Coastal Federal Bank as a factor to consider in whether to loan \$150,000.00 to The Community's Health Foundation, Inc., a corporation of which Wright was an officer, a letter from Torlen L. Wade, Acting Director of the Office of Research, Demonstrations, and Rural Health Development of the North Carolina Department of Health and Human Services, falsely stating that the Office endorsed the Foundation's museum conversion effort and was committed to funding the project in the amount of \$150,000.00 and that the award of the funding would occur by June 30, 2002. At the time Thomas E. Wright presented the letter to the representative of Coastal Federal Bank, he knew that the assertions in the letter were false, that the commitment of funds was not authorized, and that the award of funding would not be forthcoming. The \$150,000.00 loan to The Community's Health Foundation, Inc. obtained from Coastal Federal Bank was made in part relying on the contents of the fraudulent letter presented by Thomas E. Wright.

COUNT 3

On or about December 15, 2003, while a member of the North Carolina House of Representatives, Thomas E. Wright did engage in conduct unbecoming and unfitting a member of the House of Representatives by improperly, fraudulently, and unethically converting money intended to be a charitable contribution to The Community's Health Foundation, Inc. to his own personal use. Thomas E. Wright wrote a letter on the letterhead stationery of The Community's Health Foundation, Inc. to a representative of AstraZeneca Pharmaceuticals, LP, requesting as the Foundation's president a donation to the Foundation, a charitable organization that Thomas E. Wright represented as qualified to receive tax-deductible donations, that would be used by the Foundation for various health related purposes, including but not limited to educational initiatives, a needs assessment, identification of trends and bridging the gap of minority health

care for an underserved population in New Hanover County. Thereafter, when on December 15, 2003, a representative of AstraZeneca Pharmaceuticals, LP signed and sent to Thomas E. Wright and The Community's Health Foundation, Inc., a check made out to "Communitys Hlth Found Inc" in the amount of \$2,400.00, Thomas E. Wright deposited that check into his own personal account rather than into the account of The Community's Health Foundation, Inc.

COUNT 4

On or about February 6, 2004, while a member of the North Carolina House of Representatives, Thomas E. Wright did engage in conduct unbecoming and unfitting a member of the House of Representatives by improperly, fraudulently, and unethically converting money intended to be a charitable contribution to The Community's Health Foundation, Inc. to his own personal use. Thomas E. Wright wrote a letter on the letterhead stationery of The Community's Health Foundation, Inc. to a representative of Anheuser-Busch Companies, Inc., requesting as the Foundation's president a donation to the Foundation, a charitable organization that Thomas E. Wright represented as qualified to receive tax-deductible donations, that would be used by the Foundation for acquisition and development of a building in Wilmington, North Carolina that would serve as a museum. Thereafter, on March 5, 2004, when a representative of Anheuser-Busch Companies, Inc. signed and sent to Thomas E. Wright and The Community's Health Foundation, Inc., a check made out to "Communitys Health Foundation Inc" in the amount of \$5,000.00, Thomas E. Wright deposited that check into his own personal account rather than into the account of The Community's Health Foundation, Inc.

COUNT 5

On or about April 1, 2004, while a member of the North Carolina House of Representatives, Thomas E. Wright did engage in conduct unbecoming and unfitting a member of the House of Representatives by improperly, fraudulently, and unethically converting money intended to be a charitable contribution to The Community's Health Foundation, Inc. to his own personal use. Thomas E. Wright wrote an invoice on the letterhead stationery of The Community's Health Foundation, Inc. to a representative of AT&T Corp. as a solicitation of a charitable contribution to the Foundation, a charitable organization that Thomas E. Wright represented as qualified to receive tax-deductible donations. Thereafter, on April 1, 2004, when a representative of AT&T Corp. signed and sent to Thomas E. Wright and The Community's Health Foundation, Inc., a check made out to "Communitys Health Foundation I" in the amount of \$1,500.00, Thomas E. Wright deposited that check into his own personal account rather than into the account of The Community's Health Foundation, Inc.

COUNT 6

Between October 28, 2001 and November 21, 2001, while a member of the North Carolina House of Representatives, Thomas E. Wright did engage in a pattern of conduct unbecoming and unfitting a member of the House of Representatives by improperly, fraudulently, and unethically converting to his own personal use money loaned by South East Community Credit Union to a charitable organization, The Community's Health Foundation, Inc. On or about October 28, 2001, without approval of the board of directors of The Community's Health Foundation, Inc., Thomas E. Wright solicited and obtained from South East Community Credit Union, a business line of credit in the amount of \$10,000.00 for The Community's Health Foundation, Inc. Thereafter, between October 28, 2001 and November 21, 2001, he personally obtained funds three times based on that line of credit in the total amount of \$9,910.27, which he failed to turn over to the Foundation, put into a bank account for the Foundation, or use for the benefit of the Foundation, instead converting those funds to his own use and benefit by depositing them in his own account without the knowledge and approval of the Board of Directors of the Foundation.

COUNT 7

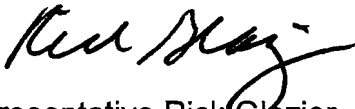
Between January 1, 2000 and January 31, 2007, while a member of the North Carolina House of Representatives, Thomas E. Wright did improperly, fraudulently, and unethically engage in a pattern of conduct unbecoming and unfitting a member of the House of Representatives by intentionally failing to disclose approximately \$180,000.00 in contributions received by his campaign during that time period, which disclosures are required by law and are intended to safeguard the public trust and to preserve the integrity of the electoral process, the integrity of the House of Representatives, and the integrity of the legislative process. The contributions that are the subject of this Court are set out in Exhibit 9 of the presentation by William P. Hart, Outside Committee Co-Counsel, dated January 9, 2008, and incorporated into this Count by reference.

COUNT 8

Between on or about October, 2001 and on or about ^{AUGUST, 150} ~~April~~, 2004, while a member of the North Carolina House of Representatives, Thomas E. Wright did engage in a pattern of conduct unbecoming and unfitting a member of the House of Representatives by improperly, fraudulently, deceptively, and unethically soliciting a financial institution for a loan and corporations for donations to a charitable corporation, The Community's Health Foundations, Inc., and by converting to his own personal use money contributed to that charitable

organization. As part of this pattern of conduct, Thomas E. Wright solicited a false document and used that false document in the loan solicitation.

Adopted January 9, 2008. Amended February 11, 2008 and March 6, 2008.



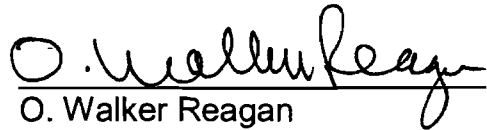
Representative Rick Glazier, Chair
House Select Committee to Investigate Alleged Misconduct and Other Matters
Included in Indictments against Representative Thomas E. Wright

03-06-08 - WR

CERTIFICATE OF SERVICE

The Attorney whose signature appears below certifies that a copy of the attached Second Revised Notice of Charges was duly served upon Representative Thomas E. Wright, and his attorneys, Irving Joyner and Douglas Harris, by hand delivering a copy of same.

This the 6th day of March, 2008.



O. Walker Reagan
Committee Co-counsel
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Raleigh, NC 27603