# REGISTATION AND SUBSCRIPTION SERVICE

.BOY SCOUTS OF AMERICA

					DATE March 2	2, 1979
FULL NAME	Ricky	NMN) Fulbright				
FULL MAIL	, , , , , , , , , , , , , , , , , , ,	(No initials	if you can	possibly ge	t full name)	
ADDRESS	717 Ca	rrington Place				
CITY	Charlotte		STATE	N. C.	ZIP	CODE 28214
DATE OF BIF	RTH10/	22/54	(This is	important	and should be e	xact)
APPROXIMATE	E AGE 23	(To be u	sed ONLY wh	en date of	birth is not kn	own)
RELIGION_	Protestan	<u> </u>	NATIO	NALITY (	Caucasion	
OCCUPATION_	Wareho	useman				
EDUCATION_	High S	ichool				
WEIGHT	210	COLOR	White	Male HEI	GHT <u>6'3"</u>	
COLOR OF HA	IR	Brown		COLOR OF EY	ESBlue	
JTSTANDING	CHARACTER	ISTICS OR INTE	RESTS	Vone		
MARRIED OR	SINGLE	Single	CHILDRE	N None		16(11-)
WIFE'S NAME	: NA			(Number,	ages, and name	s, if possible)
SCOUTING CO	NNECTIONS:					
UNIT #	CITY	STATE	OFFICE	<u>D</u>	ATE REGISTERED	DATE RESIGNED
гоор 82	Charlotte	N.C.	SA		4/78	9/78
SPECIAL REC	OGNITION	Eagle Awa	rd			
RECOMMENDED	FOR CONFI	ENTIAL FILE FO	or Followin	G REASONS:		
X CONVI	CTION OF C	RIMINAL CONDUCT	r	[	X SUBSTANTL	ATED REPORTS
X OFFIC	IAL CHARGES	OF CRIMINAL	CONDUCT (RE	VIEW) [	UNSUBSTAN	TIATED REPORTS
SPECIFY THE			RECOMMEND	INDIVIDUAL	FOR CONFIDENTIAL	FILE
WALL PIST 20	TI OKTING DO	, , , o, 1 mil 1 m .				

Arrested and convicted in a crime against nature. See attached letter and documents.

NUTED

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APR 26 1979

JOSEPH L. ANGLIM

igned VVVV.

SCOUT EXECUTIVE

Council

Mecklenburg County Council

March 27, 1979

Mr. Robert Bartlett Field Director Mecklenburg County Council, No. 415

## PERSONAL & CONFIDENTIAL

SUBJECT: Ricky Fulbright

Dear Bob:

On March 1 you wrote to David Park concerning the material for Ricky Fulbright. This was given to us since we process and maintain all records related to the confidential file. We are placing this individual on the file and appreciate the very detailed material which was sent to us.

You ask that we remove Mr. Fulbright from our Eagle records. This is never done if an individual receives the Eagle award in good faith by achieving all the requirements with no blemish on his character at that time.

If you have any questions concerning this particular procedure, please contact  $\mbox{\rm Hr. Park.}$ 

Sincerely,

Paul I. Ernst, Director Registration, Subscription and Statistical Service

nt

cc: David K. Park SUM #0202

March 27, 1979

Mr. Robert Bartlett Field Director Mecklenburg County Council, No. 415

### PERSONAL & CONFIDENTIAL

SUBJECT: Ricky Fulbright

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Sincerely,

Paul I. Ernst, Director Registration, Subscription and Statistical Service

nt

cc: David T. Park SHH #0202

# MURCHISON, MOORE & GUTHRIE

ATTORNEYS AT LAW
ONE NGNB PLAZA SUITE 2400
GHARLOTTE, NORTH GAROLINA 28280

ALTON G. MURCHISON, III THOMAS F. MOORE, JR. DENNIS L. GUTHRIE

TELEPHONE
AREA CODE 704
377-5800

February 26, 1979

Mr. Bob Bartlett Field Director Boy Scouts of America 1410 East Seventh Street Charlotte, North Carolina

Re:

Ricky Fulbright

Dear Bob:

As you are aware the above referenced individual who has been active in scouting in the Mecklenburg County Council for a number of years, was arrested on August 12, 1978 and charged with the felony of crime against nature in violation of North Carolina General Statute §14-177. The victim was a young man who was associated with the scouting program.

On October 26, 1978, as a result of a "plea bargainina arrangement" entered into by and between the attorney for the above referenced individual and the District Attorney for the State of North Carolina, the defendant, Ricky Fulbright, entered a plea of guilty to "taking indecent liberties with a minor". He was sentenced to five years in the North Carolina Department of Corrections, which was suspended under certain terms and conditions. Taking indecent liberties with a minor is a ten year felony.

I am enclosing herewith the following documentation which I obtained from the official court files of the Mecklenburg County Clerk of Superior Court:

- 1. The Arrest Warrant served on Ricky Fulbright on August 13, 1978.
- 2. The bill of Indictment drawn on October 2, 1978 alleging that the defendant took certain indecent liberties with one
- 3. Transcript of Plea which signifies that defendant entered his guilty plea freely and voluntarily. The answers contained on the Transcript of Plea are those given by the defendant, Ricky Fulbright, as evidenced by his signature on the second page of this transcript.

Mr. Bob Bartlett Field Director February 26, 1979 Page Two

- 4. The Judgment entered in this matter, which was entered by the Honorable William T. Grist, Judge Presiding over the Superior Court Division of Mecklenburg County.
- 5. A photostat of North Carolina General Statute §14-202.1 which sets forth the charge to which the defendant plead guilty.

As Chairman of the Council Eagle Progress Review Board, I feel as though it is encumbant upon me not only because of that position but because of the fact that I am a holder of the Eagle Scout Aware, that I request of you to institute proceedings to revoke Ricky Fulbright's Eagle Award. I will do all that is necessary to insure that such action is taken. If this is not done, I feel that scouting in this Council will be irrevocably damaged. I think that this action must be taken as quickly as possible.

With warm personal regards, I am,

Very truly yours,

MURCHISON, MOORE & GUTHRIE

MMM

Dennis L. Guthrie

DLG/prr

Enclosures

cc: Mr. Isaac Heard, Jr. 6729 Constitution Lane

Charlotte, North Carolina 28210

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STATE OF NORTH CAROLINA		File #
COUNTY OF MECKLENBURG		File #
The State of North Carolina Vs		In The General Court of Justice District Court of the
FULBRIGHT, RICKY		
₩ м	CHP# 78102913	WARRANT FOR GREST
717 CARRINGTON PL	CHARLOTTE NC	·
•		α
	ND DETESTABLE CRIME AGAINST NATURE WITH	
		ABOVE DID UNLAWFULLY, WILFORTY & FELONIOUS  A MAN.
IN VIOLATION OF THE FOLL  G.S. 014-177.000(0)(0)	ND DETESTABLE CRIME AGAINST NATURE WITH	THIS 12 DAY OF AUGUST, LOTE, UPON

ORIGINAL COP

with the reason for the failure of service noted thereon. The officer must state all steps taken by his department in attempting to serve the summons and any information obtained about the whereabouts of the defendant.				
OFFICER'S RETURN				THE STATE
certify that this process was received on the $12^{12}$ day of $Autus 7$ , 19 $78$ .				vs
This warrant was executed on the 13 Tday of ANGUST . 19 78 by arresting the defendant and bringing him before A MECK COUNTY MAGISTRATE				FULBRIGHT, RICKY 717 CARRINGTON PL CHARLOTTE NC
This criminal summons was personally served on the defendant on the 1372 day of August 19 78.  This process was not executed or served for the following reasons:	* *	7.	r. 99	78-CR-129724 61 8 Q. 4-28 048943 801 2207 WARRANT FOR ARRES
This process was not executed of served for the following reasons:	•	· .	1415	CRIME AGAINST NATURE
This 1776ay of AUGUST 1978			4	ISSUED 12 DAY OF AUGUST,
EPARTMENT COUNTY OR CITY LAW ENFORCEMENT OFFICER		-		WITNESSES
OFFICER'S RETURN FOLLOWING REDELIVERY		- -	***	SHARPE, D.L. CPD C1 560
certify that this process was redelivered to this law enforcement agency on theday of				PEARSON, T.W.
This <u>warrant</u> was executed on theday of, 19by arresting the defendant		(	,	CPD
nd bringing him before	. •		•	
This <u>criminal summons</u> was personally served on the defendant on theday of				CHARLOTTE NC STUDENT
This process was not executed or served for the following reasons:	•	N	<del>-</del> .	De. E. Ramaey 373 2121 Char Memorial Hospital
Thisday of				Char Memorial Hospital
	•		•	
EPARTMENT COUNTY OR CITY LAW ENFORCEMENT OFFICER				,

	,
STATE OF NORTH CAROLINA	File / 78 CR 129724
County of Mecklenburg	Film 1 78 CR 129724 Film 1 1/ 9/ 102 d
The State of North Carolina	In The General Court of Justice Superior Court Division
· V8.	October 2, 1978 INDICTMENT
Ricky Fulbright Defendant	· .
day of August 1978	OATH PRESENT that on or about the 12 County
Ricky F mlawfully and wilfully did feloniously	rutbriduc
commit the abominable and detest Dwayne Jackson, a male.	table crime against nature with Mark
that on or about the 12th day of County, Ricky Fulbright did unla take and attempt to take immoral liberties with	awfully, wilfully and feloniously  1. improper, and indescent  who was under the age of urpose of arousing and gratifying cky Fulbright was over sixteen
	Assistant District Attorney
WITNE	SSES:
D. L. Sharpe, T. W. Pearson CPI	
The witnesses marked "X" were sworn the grand jury, and this bill was found jurors not a true bill.	by the undersigned foreman and examined before to be a true bill by twelve or more grand
This 2 day of actabe	<u> </u>
	Patricia & Boyant Grand Jury Foreman
AOC-L Form 201 Rev. 10/76 PC held WJD	78-102913 DID: 048943

STATE OF NORTH CAROLINA	File #
County of 11 44 China	Film #
i	In The General Court of Justice
State of North Carolina Vs.	SUPIRICACOURT Division
RICKY FULBRIGHT	TRANSCRIPT OF PLEA
The defendant, having tendered a plea of 60, sworn, makes the following answers to the questions	ルンプ and being first duly asked by the Presiding Judge:
1. Are you able to hear and understand me?	Answer YES
2. Do you understand that you have the right to remain any statement you make may be used against you?	silent and that Answer $\sqrt{\varepsilon}$
3. Are you now under the influence of alcohol, drugs, m or any other intoxicants?	edicines, pills, Answer
4. Have you discussed your case fully with your lawyer satisfied with his services?	and are you Answer 15
5. Do you understand that you are pleading (guilty) (no-felonies of TAKING INDECENT L. NITH A MINUR	contest) to the
miedemeanors of	?
	7 Answer YES
6 Yave the charges been explained to you by your attornumbers and the nature of the charges?	ney and do you Answer YES
7. Do you understand that upon your plea you could be in maximum of / C years months (and that the minimum sentence is)?	mprisoned for a he mandatory Answer <u>YE 15</u>
8. Do you understand that you have the right to plead no be tried by a jury and be confronted by the witner you, and by this plea you give up these and your stitutional rights relating to trial by jury?	sses against other con-
9. Do you now plead (guilty) (no contest)?	Answer Variable
O. (a) [If applicable] Are you in fact guilty?	Answer YES
(b) [If applicable] Do you understand that upon your contest you will be treated as guilty whether or admit your guilt?	plea of no
<ol> <li>Have you agreed to plead as a part of a plea bargain answer, I advise you that the Courts have approved and if there is one, you may advise me truthfully incurring my disapproval.</li> </ol>	? Before you d plea bargaining
2. [If applicable] The District Attorney and your counse the Court that these are all the terms and conditi て HE - D - F - F - アルコ - オル・ナ	ions of your plea:
A GUILTY PLEA TO	THIS COUNT OF
THE BILL OF INDICT	
	3 THE FIRST
	LL OF INDISTMENT
	in the state of th
*	
(a) Is this correct? Answer Viii (b) Do you acce	ept this arrangement? Answer 1/2/2
(Continued on Reverse,	)
G.S. 15A-1021, -1022 AOC-E Form 290 TRANSCRIPT OF PLEA	
7/76	

	TRANSCRIPT OF PLEA (monthum !)	·
11.	Other than what I have just said has anyone made you any promise or threatened you in any way to cause you to enter this plea	hat set
14.	To you enter this plea of your own free will, understanding what you are doing?	Answer YES
15.	Do you have any questions about what I have just said to you?	Answer No
	I am 24 years of age and completed the 12 grade of sch	001.
	I have read or have heard read all of these questions and understa answers shown are the ones I gave in open court and they are true and my lawyer nor anyone else has told me to give false answers in order t accept my plea in this case. The conditions of the plea as stated on if any, are accurate.	accurate. Neither
	10/26/76 Riky Fulbright	
	Date / / Defendant	
	Sworn to and subscribed before me this 26 day of Retolive	, 19 <u>78</u>
	Clerk of Superior Court	<i></i>
•		
	As Attorney for the defendant, FICKY FULBIL  I hereby certify that the conditions stated on the reverse hereof, if a defendant's plea was entered are correct and they are agreed to by the self upon which the defendant's plea was entered. I further certify th explained to the defendant the nature and elements of the charges to wh	defendant and my-
	Date Date Attorney for Defendant	, , ,
		`J
	As prosecutor for the Judicial District, I hereby certiconditions stated on the reverse hereof, if any, are the terms agreed tand his counsel and myself for the entry of the plea by the defendant this case.	a his the defendant
	10/26/78 W. Jack M. J. Prissecutor	
	* * * * * * * * * * * * * * * * * * * *	
	PLEA ADJUDICATION	t
	Upon consideration of the record proper, evidence presented, answers and statements of counsel for the defendant and the prosecutor, the under	s of defendant,
	1. That there is a factual basis for the entry of the plea.	erarkusa ijuds;

. 2. That the defendant is satisfied with his counsel.

3. That the plea is the informed choice of the defendant and is made freely, voluntarily, and understandingly.

The defendant's plea is hereby accepted by the Court and is ordered recorded.

This 26 day of Ather, 1978

()

Presiding Judge

File : 78 CRS 12972h Film: 78-103-1284

In The General Court of Justice Superior Court Division

STATE OF NORTH CAROLINA County of \_Macklenburg\_\_\_

The State of North Carolina

VS.

JUDGMENT SUSPENDING SENTENCE

RICKY FULBRIGHT, 24, Male, White Name, Age, Sex, and Race of Defendant

In open court, the defendant appeared for trial upon the charge of crime against nature

and thereupon entered a plea of guilty of taking indecent liberties with a minor. The State not proceed on the charge of crime against nature.

Having pleaded liberties with a minor , guilty of the offense of taking indecent

which is a violation of G.S. 14-202.1

and of the grade of felony

It is ADJUDGED that the defendant be impaisoned fan theetermok placed in the custody of the Commissioner of Correction for a period of five (5) years.

The execution until secutoricals suspended, bowever forexxx xxxxx rears upon compliance; with the x 

By and with the consent of the defendant, the sentence is suspended and the defendant is placed on probation for a period of five (5) years on the usual probationary conditions, and the following special conditions:

That he spend ten (10) consecutive weekends in the Mecklenburg County Jail commencing on Friday, November 3, 1978, and continuing thereafter for ten (10) consecutive weekends. He is to report to the Mecklenburg County Jail at 6:00 P.M. and to remain there until the following Monday at 6:00 A.M.

This 26thday of October 1978

Presiding Judge

Attorney for the State:

Attorney for Defendant: Martin Brackett and Allen Bailey

W. Joseph Dozier

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#### APPEAL ENTRIES

In apt time, the defendant objects and excepts to the rulings and judgment of the Court and gives notice of appeal to the

Further notice waived.

The defendant is allowed days to prepare and serve case on appeal, and the State is allowed days after such service to prepare and serve countercase.

Appearance bond is fixed in the sum of \$

Appeal bond is set at \$

This

day of

, 19

Presiding Judge

JUDGMENT SUSPENDING SENTENCE continued from reverse side:

That he pay the costs. That he submit himself to fingerprinting for filing with the State Bureau of Investigation. That he have no contact with the victim in this case, it is that he not go on or about their premises at that he seek further evaluation and treatment of his depression and homosexual tendencies in accordance with the requirements of the probation officer and his physician or clinical psychologist, and that he follow the treatment prescribed until such time as he is discharged.

This the 26th day of October, 1978.

JUDGE PRESIDING

Editor's Note. - The 1971 amendment deleteo Brunswick, Camden, Macon and Tyrrell from the list of exempt counties.

§ 14-198

The first 1973 amendment deleted Craven and the second 1973 amendment deleted Stanly from the list of exempt counties.

§ 14-198: Repealed by Session Laws 1975, c. 402.

§ 14-202.1. Taking indecent liberties with children. — (a) A person is guilty of taking indecent liberties with children if, being 16 years of age or more and at least five years older than the child in question, he either:

(1) Willfully takes or attempts to take any immoral, improper, or indecent liberties with any child of either sex under the age of 16 years for the

purpose of arousing or gratifying sexual desire; or

(2) Willfully commits or attempts to commit any lewd or lascivious act upon or with the body or any part or member of the body of any child of either sex under the age of 16 years.

(b) Taking indecent liberties with children is a felony punishable by a fine, imprisonment for not more than 10 years, or both. (1955, c. 764; 1975, c. 779.)

Editor's Note. - The 1975 amendment, effective Oct. 1, 1975, rewrote this section.

This section and \$11-177 etc. —
Sections 14-177 unit this section can be reconciled and both declared to be operative it. or repugnance. State v. Copeland, 11 N.C. pp. 516-181 S.E.2d 722, cert. denied, 279 N.C.

312 188 S E 2d 686 (1971). Section 14477 condemns crimes against nature whether committed against adults or cridiren. State v. Copeland, 11 N.C. App. 516, 1513 S.E. 20, 722, pert. denied, 279 N.C. 512, 183 5 5 2d 65\* (1971).

- section condemns other acts against children than unnatural sexual acts. State v. "sperand, 11 N.C. App. 516, 181 S.E.2d 722, cert. denieu, 279 N.C. 512, 183 S.E.2d 688 (1971).

This section condemns those offenses of an unnatural sexual nature against children under 16 years of age by persons over 16 years of age which cannot be reached and punished under the provisions of \$ 14-177. State v. Copeland, 11 N.C. App. 516, 181 S.E.2d 722, cert, denied, 279 N.C. 512. 183 S E.2d 688 (1971).

Because the two offenses are separate and distinct and the constituent elements are not identical, a violation of this section is not a lesser included offense of the crime against nature described in § 14-177. State v. Copeland, 11 N.C. App. 516, 181 S.E. 2d 722, cert. denied, 279 N.C. 512, 183 S.E.2d 698 (1971).

Applied in State v. Wells, 31 N.C. App. 736, 230 S.E.2d 437 (1976).

58 14-202.2 to 14-202.9: Reserved for future codification purposes.

#### ARTICLE 26A.

#### Adult Establishments.

- § 14-202.10. Definitions. As used in this Article:
  - (1) "Adult bookstore" means a bookstore having as a preponderance of its publications books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting. describing, or relating to specified sexual activities or specified anatomical areas, as defined in this section.
  - (2) "Adult establishment" means an adult bookstore, adult motion picture theater, adult mini motion picture theater, or a massage business as defined in this section.
  - (3) "Adult motion picture theater" means an enclosed building with a capacity of 50 or more persons used for presenting motion pictures, a preponderance of which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, as defined in this section, for observation by patrons therein.

393



# Boy Scouts of America

#### CAPITOL AREA COUNCIL NO. 564

7540 ED BLUESTEIN BLVD., # 512/ 926-6363 P. O. BOX 15505 # AUSTIN, TEXAS 78761

March 22, 1979

Mr. Paul I. Ernst Boy Scouts of America North Brunswick, New Jersey 08902

RE: Letter of March 6, 1979

Dear Paul:

Yes, he was given the confidential letter jointly by our council commissioner and myself.

Yes, there has been another incident. I would suggest that you talk to Bill Corder at Houston. He can give you other information.

Sincerely yours,

Dale Hewgley Scout Executive

DH:rs

Mulate Am Harry Market Singles 1979

ES:
3.1-

SERVING YOUTH IN FIFTEEN COUNTIES:

Bastrop, Blanco, Burnet, Caldwell, De Witt, Fayette, Gillespie, Gonzales, Haves, Lavaca, Lee, Llano, Mason, Travis & Williamson

March 6, 1979

Mr. O. Dale Hewgley Scout Executive Capitol Area Co. No. 564

PERSONAL AND CONFIDENTIAL

SUBJECT: Kenneth W. James

Dear Dale:

Thank you for the confidential record sheet, and details concerning the above Scouter. With the information provided us, I do not feel justified in establishing a Confidential File Record. You may refuse registration in your council, but we would have difficulty refusing him here.

We would need to know if there have been any other incidents of improper conduct concerning this man, and if he was given the Confidential letter?

Sincerely,

Paul I. Ernst, Director Registration & Subscription Service

af

March 6, 1979

Mr. O. Dale Hewgley Scout Executive Capitol Area Co. No. 564

PERSONAL AND CONFIDENTIAL

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Sincerely,

Paul I. Ernst, Director Registration & Subscription Service

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