

REGISTRATION AND SUBSCRIPTION SERVICE

BOY SCOUTS OF AMERICA

DATE March 2, 1979

FULL NAME Ricky (NMN) Fulbright
(No initials if you can possibly get full name)

ADDRESS 717 Carrington Place

CITY Charlotte STATE N. C. ZIP CODE 28214

DATE OF BIRTH 10/22/54 (This is important and should be exact)

APPROXIMATE AGE 23 (To be used ONLY when date of birth is not known)

RELIGION Protestant NATIONALITY Caucasian

OCCUPATION Warehouseman

EDUCATION High School

WEIGHT 210 COLOR White Male HEIGHT 6'3"

COLOR OF HAIR Brown COLOR OF EYES Blue

OUTSTANDING CHARACTERISTICS OR INTERESTS None

MARRIED OR SINGLE Single CHILDREN None
(Number, ages, and names, if possible)

WIFE'S NAME NA

SCOUTING CONNECTIONS:

<u>UNIT #</u>	<u>CITY</u>	<u>STATE</u>	<u>OFFICE</u>	<u>DATE REGISTERED</u>	<u>DATE RESIGNED</u>
Troop 82	Charlotte	N.C.	SA	4/78	9/78

SPECIAL RECOGNITION Eagle Award

RECOMMENDED FOR CONFIDENTIAL FILE FOR FOLLOWING REASONS:

- CONVICTION OF CRIMINAL CONDUCT
- OFFICIAL CHARGES OF CRIMINAL CONDUCT (REVIEW)
- SUBSTANTIATED REPORTS
- UNSUBSTANTIATED REPORTS

SPECIFY THE FACTS WHICH LEAD YOU TO RECOMMEND INDIVIDUAL FOR CONFIDENTIAL FILE AND LIST SUPPORTING DOCUMENTS:

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

NOTED
APR 26 1979
JOSEPH L. ANGLIM

Signed Wm. Douglas B. Field
SCOUT EXECUTIVE
Council Mecklenburg County Council

CONF009807

DYKES_I_013441

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 Mr. Park.

Sincerely,

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

nt

cc: David K. Park
SUM #0202

CONF009808

DYKES_I_013442

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 Mr. Park.

Sincerely,

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

nt

cc: David K. Park
SIB: #0202

CONF009809

DYKES_I_013443

MURCHISON, MOORE & GUTHRIE

ATTORNEYS AT LAW

ONE NCNB PLAZA SUITE 2400

CHARLOTTE, NORTH CAROLINA 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 [REDACTED] 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 [REDACTED]
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.

CONF009811

DYKES_I_013444

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



Dennis L. Guthrie

DLG/prr

Enclosures

cc: Mr. Isaac Heard, Jr.
6729 Constitution Lane
Charlotte, North Carolina 28210

CONF009812

DYKES_I_013445

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

The State of North Carolina Vs.

File # _____

File # 78 _____

In The General Court of Justice
District Court _____

FULBRIGHT, RICKY

W M

CHP# 78102913

WARRANT FOR ARREST

717 CARRINGTON PL CHARLOTTE NC

78 TO ANY OFFICER WITH AUTHORITY AND TERRITORIAL JURISDICTION TO EXECUTE A WARRANT FOR ARREST FOR THE OFFENSE CHARGED BELOW: THE UNDERSIGNED FINDS THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT ON OR ABOUT THE 12 DAY OF AUGUST, 1978 IN THE COUNTY NAMED ABOVE, THE DEFENDANT NAMED ABOVE DID UNLAWFULLY, WILFULLY & FELONIOUSLY COMMIT THE ABOMINABLE AND DETESTABLE CRIME AGAINST NATURE WITH MARK DWAYNE JACKSON, A MAN.

28

IN VIOLATION OF THE FOLLOWING LAW:

G.S. 014-177.000(0)(0)(0)

ISSUED THIS 12 DAY OF AUGUST, 1978, UPON INFORMATION FURNISHED UNDER OATH BY THE COMPLAINANT OR COMPLAINANTS NAMED BELOW:

SHARPE, D.L.

YOU ARE DIRECTED TO ARREST THE DEFENDANT NAMED ABOVE AND DETAIN HIM WITHOUT UNNECESSARY DELAY BEFORE A JUDICIAL OFFICIAL TO ANSWER THE CHARGES SET OUT ABOVE.

ORIGINAL COPY

James R. Edmon
Magistrate

CONF009813

If a warrant for an arrest of a criminal is not served within ninety (90) days of the date the court is directed to appeal, whichever is later, it must be returned to the clerk of court in the county in which it was issued 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

I certify that this process was received on the 12TH day of AUGUST, 19 78.

This warrant was executed on the 13TH day of AUGUST, 19 78 by arresting the defendant and bringing him before A MECK COUNTY MAGISTRATE

This criminal summons was personally served on the defendant on the 13TH day of AUGUST, 19 78.

This process was not executed or served for the following reasons: _____

This 17TH day of AUGUST, 19 78.

CPD CHAR D. L. Sharpe
DEPARTMENT COUNTY OR CITY LAW ENFORCEMENT OFFICER

OFFICER'S RETURN FOLLOWING REDELIVERY

I certify that this process was redelivered to this law enforcement agency on the _____ day of _____, 19 _____.

This warrant was executed on the _____ day of _____, 19 _____ by arresting the defendant and bringing him before _____

This criminal summons was personally served on the defendant on the _____ day of _____, 19 _____.

This process was not executed or served for the following reasons: _____

This _____ day of _____, 19 _____.

DEPARTMENT COUNTY OR CITY LAW ENFORCEMENT OFFICER

THE STATE
VS

FULBRIGHT, RICKY
717 CARRINGTON PL
CHARLOTTE NC

78-CR-129724 61 B
048943

WARRANT FOR ARREST

CRIME AGAINST NATURE

ISSUED 12 DAY OF AUGUST, 19

WITNESSES

SHARPE, D.L.
CPD C1 560

PEARSON, T.W.
CPD

4409 MC KINLEY RD
CHARLOTTE NC
STUDENT

Dr. E. Ramsey 373-2121
Char Memorial Hospital

CONF009814

STATE OF NORTH CAROLINA
County of Mecklenburg

File # 78 CR 129724
Film # 11-97-102d

The State of North Carolina
vs.

In The General Court of Justice
Superior Court Division

October 2, 1978
INDICTMENT

Ricky Fulbright
Defendant

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 12
day of August, 1978, in Mecklenburg County
Ricky Fulbright
unlawfully and wilfully did feloniously

commit the abominable and detestable crime against nature with Mark
Dwayne Jackson, a male.

AND THE JURORS FOR THE STATE UPON THEIR OATH FURTHER PRESENT
that on or about the 12th day of August, 1978, in Mecklenburg
County, Ricky Fulbright did unlawfully, wilfully and feloniously
take and attempt to take immoral, improper, and indescant
liberties with [REDACTED] who was under the age of
16 years at the time, for the purpose of arousing and gratifying
sexual desire. At the time, Ricky Fulbright was over sixteen
years of age and at least five years older than Mark Dwayne Jackson.

Thomas Kibel
Assistant District Attorney

WITNESSES:

X D. L. Sharpe, T. W. Pearson CPD
Mark Dwayne Jackson 392-9528
4409 McKinley Road

I hereby certify that 16 members of the grand jury
concurred in finding this to be a true bill of indictment.
Patricia J. Bryant
Grand Jury Foreman

The witnesses marked "X" were sworn by the undersigned foreman and examined before
the grand jury, and this bill was found to be a true bill by twelve or more grand
jurors not a true bill.

This 2nd day of October, 1978.

Patricia J. Bryant
Grand Jury Foreman

AOC-L Form 201
Rev. 10/76

PC held

WJD

78-102913

DID: 048943

CONF009815

DYKES_I_013448

State of North Carolina Vs.

SUPERIOR Court Division

RICKY FUCBRIGHT

TRANSCRIPT OF PLEA

The defendant, having tendered a plea of GUILTY and being first duly sworn, makes the following answers to the questions 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 silent and that any statement you make may be used against you? Answer YES
- 3. Are you now under the influence of alcohol, drugs, medicines, pills, or any other intoxicants? Answer NO
- 4. Have you discussed your case fully with your lawyer and are you satisfied with his services? Answer YES
- 5. Do you understand that you are pleading (guilty)(no-contest) to the felonies of TAKING INDECENT LIBERTIES WITH A MINOR misdemeanors of _____? Answer YES
- 6. Have the charges been explained to you by your attorney and do you understand the nature of the charges? Answer YES
- 7. Do you understand that upon your plea you could be imprisoned for a maximum of 10 years _____ months (and that the mandatory minimum sentence is _____)? Answer YES
- 8. Do you understand that you have the right to plead not guilty and be tried by a jury and be confronted by the witnesses against you, and by this plea you give up these and your other constitutional rights relating to trial by jury? Answer YES
- 9. Do you now plead (guilty)(no-contest)? Answer YES
- 10. (a) [If applicable] Are you in fact guilty? Answer YES
- (b) [If applicable] Do you understand that upon your plea of no contest you will be treated as guilty whether or not you admit your guilt? Answer N/A
- 11. Have you agreed to plead as a part of a plea bargain? Before you answer, I advise you that the Courts have approved plea bargaining and if there is one, you may advise me truthfully without fear of incurring my disapproval. Answer YES
- 12. [If applicable] The District Attorney and your counsel have informed the Court that these are all the terms and conditions of your plea: THE DEFENDANT WILL ENTER A GUILTY PLEA TO THIS COUNT OF THE BILL OF INDICTMENT AND THE STATE WILL DISMISS THE FIRST COUNT OF THE BILL OF INDICTMENT

(a) Is this correct? Answer YES (b) Do you accept this arrangement? Answer YES

(Continued on Reverse)

TRANSCRIPT OF PLEA (Continued)

- 13. [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? Answer _____
- 14. Do 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 12TH grade of school.

I have read or have heard read all of these questions and understand them. The answers shown are the ones I gave in open court and they are true and accurate. Neither my lawyer nor anyone else has told me to give false answers in order to have the Court accept my plea in this case. The conditions of the plea as stated on the reverse hereof, if any, are accurate.

10/26/78 Date Ricky Fulbright Defendant

Sworn to and subscribed before me this 26 day of October, 1978.

Deputy Thomas W. Brooks
Clerk of Superior Court

As Attorney for the defendant, RICKY FULBRIGHT, I hereby certify that the conditions stated on the reverse hereof, if any, upon which the defendant's plea was entered are correct and they are agreed to by the defendant and myself upon which the defendant's plea was entered. I further certify that I have fully explained to the defendant the nature and elements of the charges to which he is pleading.

10/26/78 Date William J. Br... Attorney for Defendant

As prosecutor for the 26th Judicial District, I hereby certify that the conditions stated on the reverse hereof, if any, are the terms agreed to by the defendant and his counsel and myself for the entry of the plea by the defendant to the charge in this case.

10/26/78 Date W. Joseph Dy... Prosecutor

PLEA ADJUDICATION

Upon consideration of the record proper, evidence presented, answers of defendant, and statements of counsel for the defendant and the prosecutor, the undersigned finds:

- 1. That there is a factual basis for the entry of the plea.
- 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 October, 1978.

William T. Hunt
Presiding Judge

File # 78 CRS 129724

Film # 78-103-1284

In The General Court of Justice

Superior Court Division

STATE OF NORTH CAROLINA

County of Mecklenburg

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 ~~or charges~~ 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 guilty of the offense of taking indecent liberties with a minor

which is a violation of G.S. 14-202.1 and of the grade of felony

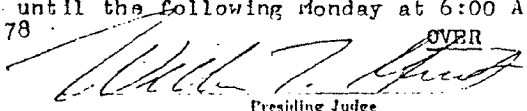
It is ADJUDGED that the defendant be ~~imprisoned for the term of~~ placed in the custody of the Commissioner of Correction for a period of five (5) years.

~~The execution of this sentence is suspended, however, for xxx xxxxx years upon compliance with the following conditions to which the defendant gave assent:~~

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 26th day of October, 1978

 OVER

Presiding Judge

Attorney for Defendant: Martin Brackett and Allen Bailey

Attorney for the State: W. Joseph Dozier

APR 1, FORM 154

CONF009818

DYKES_I_013451

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 \$ _____

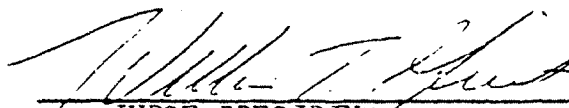
This _____ day of _____, 19 _____

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, _____, and his mother Mrs. _____ and stepfather _____; that he not go on or about their premises at 4409 McKinley Drive. 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

CONF009819

DYKES_I_013452

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

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 § 14-177, etc. —

Sections 14-177 and this section can be mentioned and both declared to be operative in the same opinion. *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).

Section 14-177 condemns crimes against nature whether committed against adults or children. *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).

This section condemns other acts against children than unnatural sexual acts. *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).

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 688 (1971).

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

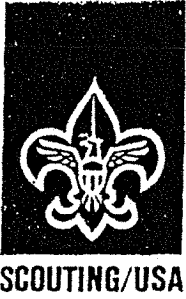
§§ 14-202.2 to 14-202.9: Reserved for future codification purposes.

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.



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

Co. 564

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
Dale Hewgley
Scout Executive

DH:rs

*Amended I want for
starts the formation
3/27
11/23/1979
YES*

SERVING YOUTH IN FIFTEEN COUNTIES:

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

CONF009821

DYKES_I_013454

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

CONF009822

DYKES_I_013455

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

CONF009823

DYKES_I_013456

Mr. Ernst
I know all attached

Can you check your files
Do you agree? YES

ASK IF ANY MORE COMMENTS?
WAS LTR GIVEN TO COMPANY
INDIVIDUAL -
TALK HE CAN REFUSE BUT WE
WOULD HAVE
DIFFICULTY HERE