



DEPARTMENT OF THE ATTORNEY GENERAL

News Release

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Charitable solicitor agrees to cease and desist order

(HONOLULU) A charitable solicitor has entered into a Consent Agreement and Order with Attorney General Mark Bennett regarding violations of Hawaii's charitable solicitation law.

On October 5, 2005, the Attorney General gave notice of the revocation of Bryan Henry's (dba Island Printing & Publishing) registration as a professional solicitor for charitable organizations and imposed administrative penalties under a new law that gives the Attorney General expanded administrative powers over professional solicitors.

On November 3, 2005, Henry entered into a Consent Agreement and Order with the Attorney General. Henry admitted to multiple violations of Hawaii's charitable solicitation law, including:

- Filing a registration form with the Department of the Attorney General that contains incorrect information.
- Disabling his caller identification system, an act prohibited by the FTC's Telemarketing Sales Rule.
- Representing to potential donors on at least one occasion that the charity Law Enforcement Officers Association of Hawaii was approved by the Attorney General or endorsed by Lt. Governor James R. "Duke" Aiona, Jr.
- Allowing his solicitors to use fictional names with donors.
- Hiring independent contractors as solicitors when those solicitors were not registered and bonded as required by Hawaii law.
- Failing to disclose to potential donors that the charity is not exempt from federal income tax and that donations would not be tax deductible.
- Filing a fundraising contract and registration form that contained incorrect information.
- Engaging in charitable solicitation prior to July 1, 2005 without being registered and bonded as required by law.

Under the agreement, Henry disputed other violations of the law alleged by the Attorney General but agreed (1) to cease and desist the charitable solicitation acts and practices

described above, (2) to pay a \$7,500 fine, (3) to a 40-day suspension of his registration; and (4) to the placement of his registration on a term of probation for not less than one year.

“The State will continue to vigorously enforce Hawaii’s charitable solicitation law, including registration and bonding requirements and provisions prohibiting deceptive acts and practices,” Attorney General Bennett said. “We need to protect members of the public and charities from illegal fundraising practices.”

Information regarding Hawaii’s charitable solicitation law and a list of registered and bonded fundraisers are available on the Attorney General’s website at http://www.hawaii.gov/ag/charity_resources.htm.

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