



Secretary of State  
*Tim Wyma*

***Re: Important Information Regarding Charitable Solicitors Outside of Your Store***

Dear Store Manager:

The Consumer Protection Division of the Washington State Attorney General's Office (AGO) and the Charities Program of the Washington Secretary of State's Office (SOS) are writing to provide you with important information about charitable solicitors and to **ask for your help**.

Increasingly, solicitors ask for charity donations outside of retail establishments such as yours. Often, solicitors set up a table at a store entrance or exit. They ask for small cash, check, debit, or credit card donations, purportedly for various causes such as helping sick or disabled children, animals, battered women, homeless people, or to support well-known charitable organizations. Solicitors may also offer small trinkets for a donation.

The AGO and SOS believe that some solicitors are pocketing most of the money they collect, instead of using it for the purported charitable purpose. If this is true, these solicitors are not only breaking the law, but also breaking the trust of donors and taking money away from legitimate charities.

Most organizations that fundraise from the public need to register with the SOS Charities Program (with some exceptions). Please be aware that registration with the SOS is **not** an endorsement of the solicitor or the charity, nor is it an assurance that the solicitor is complying with the law.

Some of the potential legal violations that we have concerns about are:

- **LYING ABOUT BEING A VOLUNTEER FOR THE CHARITY.** Most solicitors are paid to solicit on behalf of the charity. However, they may represent they are volunteering in order to garner more donations.
- **LYING ABOUT WHERE THE MONEY GOES.** Solicitors may tell people that donations are being used to help sick children or animals, or to support other, more established organizations, when most of the donations are actually used to pay the solicitor's operating expenses and salaries.
- **LYING ABOUT HOW MUCH MONEY GOES TO THE CHARITABLE PURPOSE.** Solicitors may tell potential donors that 50, 75, or 100 percent of each donation goes toward their charitable cause even though this is far from true.
- **FAILING TO DISCLOSE REGISTRATION.** Solicitors must include in all solicitation materials that their charity is registered with the Secretary of State. They must also provide a telephone number for the Charities Program of the Secretary of State so that consumers can gain more information about the charity.

Many of these practices violate Washington's Charitable Solicitations Act, RCW 19.09, and the Consumer Protection Act, RCW 19.86. The AGO has civil enforcement authority of both laws.

The AGO has investigated and filed a lawsuit against one such solicitor for these types of violations. (If you are interested in reviewing those cases, they are posted on the SOS website at <http://sos.wa.gov/charities/LegalActionsTakenbytheAttorneyGeneral.aspx>.)

However, we continue to see new charities engage in these troubling solicitations. While we continue to work to confront these solicitors, we **need your help**.

Please consider this letter if you are approached by a charity that wants to solicit in front of your store. Some questions you may want to ask are:

- How long has the charity been operating?
- Do their solicitation materials clearly provide contact information for the SOS Charities Program where donors and potential donors can obtain more information about the charity?
- Does the charity support another, more well-known organization? If so, contact that organization to confirm it has given the charity permission to solicit on its behalf.
- How big is the charity? How many people does it employ?
- Can the charity provide you with information about its composition and operation? Does it have more than just a single brochure or business card?

Should you have any other questions, do not hesitate to contact us. You may reach AGO Consumer Protection Division Senior Investigator, MaryBeth Haggarty-Shaw, at (206) 464-5478 or [marybethh@atg.wa.gov](mailto:marybethh@atg.wa.gov). You can also reach the SOS Charities Program Manager, Rebecca Sherrell, at (360) 725-0380 or [rebecca.sherrell@sos.wa.gov](mailto:rebecca.sherrell@sos.wa.gov).

Sincerely,



Kym Wyman  
Secretary of State



Bob Ferguson  
Attorney General