



**OFFICE OF THE SECRETARY OF STATE
STATE OF GEORGIA**

IN THE MATTER OF

**Fred D. Lawson and
I Am My Brothers Keeper, Inc.**

Respondents.

Case Number: ENCH-170213

ORDER TO CEASE AND DESIST

Pursuant to the authority of the Georgia Charitable Solicitations Act of 1988, as amended, O.C.G.A. § 43-17-1, *et seq.* (“Act”), and 590-9-1, *et seq.* of the Rules and Regulations of the State of Georgia (“Rules”), the Secretary of State of the State of Georgia (“Secretary”), has caused an investigation to be made into the acts and practices of I Am My Brothers Keeper, Inc. (“IAMBK”) and Fred D. Lawson (“Lawson”) (collectively, “Respondents”). As a result of the investigation, the Secretary makes the following findings of fact and conclusions of law:

I. FINDINGS OF FACT

1. IAMBK is a domestic nonprofit corporation registered with the Corporations Division of the Georgia Secretary of State. Its principle address is listed as 403 Racheal Street, Augusta, GA, 30901. Lawson is listed as the Chief Executive Officer (“CEO”), Chief Financial Officer (“CFO”), Secretary, and Registered Agent for IAMBK.

2. IAMBK is not registered as a 501(c)(3) organization with the Internal Revenue Service (“IRS”).

3. IAMBK is not currently registered as a charitable organization with the Secretary and has never been registered with the Secretary as a charitable organization pursuant to O.C.G.A. § 43-17-5.

4. On March 30, 2017, the Secretary received a complaint from a concerned Georgia citizen regarding Respondents’ charitable solicitation activities. The complaint stated that Lawson was going door-to-door soliciting donations while claiming to be a pastor of a church. The complainant contacted the church and was informed that Lawson had been removed as pastor in February of 2012.

5. The Secretary opened an investigation to pursue the matter. In the course of the investigation,

it was determined that Lawson previously served as the pastor of Clarks Grove Baptist Church (“Clarks Grove”) from March of 2006 until February of 2012. In February of 2012, Clarks Grove voted to remove Lawson as pastor due to concerns over his solicitation practices while raising funds for IAMBK. Specifically, Clarks Grove determined Lawson was using the name of the church to solicit funds without the church’s approval.

6. The Secretary’s investigator interviewed a spokesperson for Clarks Grove on September 14, 2017 in Evans, Georgia. The spokesperson stated that Lawson has not, since his removal from the pastor position, had the authority to solicit charitable donations for Clarks Grove or use the church’s name while soliciting.

7. Lawson listed “3592 Evans To Locks Road” as the “Business Physical Location” on IAMBK’s 2017 business permit in Columbia County. The address for Clarks Grove was “3592 Evans to Locks Road.” Lawson was continuing to use the name of Clarks Grove during his door-to-door solicitations, even after being removed as pastor of Clarks Grove.

8. Lawson was unable to provide documentation to the Secretary’s investigator regarding the amounts and appropriations of solicited funds through IAMBK.

9. Lawson was arrested on June 19, 2017 in Richmond County for Driving While License Suspended or Revoked and for No Child Safety Restraint-Under 6. He has since been released.

II. CONCLUSIONS OF LAW

10. Paragraphs 1 through 9 are incorporated by reference as though fully set forth herein.

11. The Secretary has jurisdiction over this matter pursuant to the Act.

12. Pursuant to O.C.G.A. §§ 43-17-11 and 43-17-13, the Secretary is authorized to institute this investigation and issue this Order.

13. Pursuant to O.C.G.A. § 43-17-13(a)(1)(A)(i), the Secretary may issue a cease and desist order against any person that has engaged in or is engaging in or is about to engage in any act, practice, or transaction which is prohibited by the [Act] or by any rule, regulation, or order of the Secretary.

14. Pursuant to O.C.G.A. § 43-17-5(a), it is “unlawful for any person: ... (1) [w]herever located to solicit or accept charitable contributions from any person located in this state...unless the charitable organization on whose behalf such contributions are being solicited or accepted is subject to an effective registration statement under this chapter or exempt from registration” pursuant to Code Section 43-17-9.

15. Respondents’ solicitation and acceptance of charitable contributions from persons located in Georgia without registering with the Secretary, is a violation of O.C.G.A. § 43-17-5. As a result of the violation, Respondents are subject to penalty under O.C.G.A. § 43-17-13.

16. Pursuant to O.C.G.A. § 43-17-12(d)(3) “[i]t shall be unlawful for any person in connection with the planning, conduct, or execution of any charitable solicitation or charitable sales promotion,

directly or indirectly: . . . (3) [t]o misrepresent or mislead anyone in any manner to believe that the person on whose behalf a solicitation or charitable sales promotion is being conducted is a charitable organization or that the proceeds of such solicitation or charitable sales promotion will be used for charitable purposes if such is not the fact; or (4) [t]o misappropriate, convert, illegally withhold, or fail to account for any charitable contributions solicited by, or on behalf of, any charitable organization required to be registered pursuant to this chapter.”

17. Respondents’ misrepresentation that Lawson was soliciting funds for IAMBK on behalf of Clarks Grove after he was removed from the pastor position in February of 2012 and Respondents’ subsequent failure to account for any solicited charitable contributions is a violation of O.C.G.A. § 43-17-12. As a result of the violation, Respondents are subject to penalty under O.C.G.A. § 43-17-13.

III. ORDER

WHEREFORE, by the authority vested in me as the Secretary of State for the State of Georgia, **IT IS HEREBY ORDERED:**

1. **I Am My Brothers Keeper, Inc. CEASE AND DESIST** from all violations of the Georgia Charitable Solicitations Act of 1988, as amended.

2. **Fred D. Lawson CEASE AND DESIST** from all violations of the Georgia Charitable Solicitations Act of 1988, as amended.

The entry of this Order is deemed to be in the public interest, and shall not be deemed to constitute findings or conclusions relating to other persons unrelated to Respondents and shall not be deemed to be a waiver or estoppel on the part of the Secretary of State from proceeding in individual actions against any person who may have violated the Act or any transactions not specifically referred to herein or not known to the Secretary at the time this Order was issued.

SO ORDERED this 25th day of May, 2018.

BRIAN P. KEMP
SECRETARY OF STATE

By:



C. Ryan Germany
Designated Hearing Officer
General Counsel