

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
CHARITIES DIVISION**

IN THE MATTER OF:

**ONE VOICE
1072 West Lynch Street, Suite 10
Jackson, Mississippi 39203**

File Number C-13-0589

CONSENT ORDER

I.

The Charities Division of the Mississippi Secretary of State's Office ("Division"), having the authority to administer and to provide for the enforcement of all provisions of the Mississippi Charitable Solicitations Act ("Act"), and Respondent do hereby enter into this Consent Order in resolution of the following allegations by the Division of violations of certain provisions of the Act:

1. One Voice is a Mississippi non-profit organization whose stated purpose is to "To enhance civic engagement in the formation of public policy through leadership development, research support, training and technical assistance for advocacy groups, associations and community-based organizations with the purpose of improving the quality of life for African-Americans and other disenfranchised communities".
2. One Voice was registered with the Division through November 30, 2012, at which time its registration expired. One Voice's registration expired because it failed to renew its registration by the renewal date with the State of Mississippi. One Voice submitted a renewal registration but it was incomplete as the expenses on the Form FS and IRS Form 990 didn't match and it failed to include the audited financial statement. One Voice corrected the error regarding the expenses but failed to submit the audited financial statement so the incomplete registration was returned. One Voice is currently not registered with the Division.

3. The Division performed an examination on One Voice and concerns were raised regarding One Voice's maintenance of its books and records regarding its solicitation activities in violation of Rule 213 of the Mississippi Charities Act Rules and Miss. Code Ann. §79-11-518. All of the required books and records outlined in Rule 213 were not initially submitted when requested by the Division.
4. The Division also determined that One Voice failed to use all of the contributions it received for its stated charitable purpose in the following ways in violation of Miss. Code Ann. §79-11-509(1)(d).
 - a. Paying for eight (8) individuals, (employees, consultants, and volunteers) to attend a NAACP Image Award event in Los Angeles, California in the amount of \$9348.06. However for settlement purposes, the Division will allow expenses for two (2) employees;
 - b. Paying overdraft fees in the amount of \$1650.00;
 - c. Paying for a NAACP web page in the amount of \$2400;
5. One Voice's officers, board of directors, and employees failed to abide by the Act and the charity rules in the following ways in violation of Miss. Code Ann. §79-11-525:
 - a. Paying unnecessary card fees as result of the cash withdrawals; and
 - b. Failure to provide oversight over the expenses listed in Item #4 above and in Section III below.
6. Currently, One Voice is not registered with the Division as it has not submitted a complete renewal application. The incomplete application it submitted has been returned to One Voice. As a result, One Voice should not be soliciting funds, including submitting grant applications, to Mississippi based individuals and organizations.

II.

Respondent, under the terms of this Consent Order and solely for the purpose of resolving the foregoing allegations, stipulates without a hearing to the matters set forth above in

Paragraph 1 and hereby consents to the issuance of this Consent Order and further consents to and agrees to the undertakings contained herein, with no formal administrative hearing.

III.

THEREFORE, in consideration of a final resolution of the matters set forth herein, the Division and Respondent hereby agree and stipulate as follows:

1. Respondent stipulates to the jurisdiction of the Division as to all matters contained herein under the authority of the Act and acknowledges the issuance of this Consent Order is solely for the purpose of resolving the matters contained in this Consent Order.
2. If Respondent wants to solicit in the State of Mississippi, it will submit a complete renewal charity registration to the Division, including an audited financial. After resolution of this pending action and receipt of this signed Consent Order and payment of penalty, the Division will process and renew Respondent's registration.
3. Respondent will collect reimbursement of expenses related to the NAACP Image Awards in Los Angeles, California from the appropriate person(s). One Voice expended funds in the amount of Nine Thousand, Three Hundred, Forty-Eight Dollars and Six Cents (\$9348.06) for eight (8) individuals to attend this awards ceremony. After reviewing One Voice's response, the Division will allow the expenses for the Executive Director and the Board Member to attend this event. However, expenses for the other six (6) individuals should be reimbursed to One Voice. Reimbursement in the amount of Seven Thousand, Eleven Dollars and Six Cents (\$7011.06) should be made. The Division acknowledges that these funds were permissible under a general support grant issued by a funding organization.

4. The Division acknowledges that Respondent has collected reimbursement from the appropriate person (s) for overdraft fees in the amount of approximately One Thousand, Six Hundred, and Fifty Dollars (\$1650.00).
5. The Division acknowledges that Respondent has submitted to the Division confirmation of reimbursement of the senate web page paid for on behalf of the NAACP in the amount of Two Thousand, Four Hundred Dollars (\$2400.00), including the cancelled check and deposit slip.
6. The Division acknowledges that Respondent has collected reimbursement for expenses related to lodging for the Paris, France trip (described by the Respondent as for economic development purposes) from the appropriate person(s) in the amount of One Thousand, One Hundred, Fifty-Two Dollars and Ninety-Three Cents (\$1152.93).
7. The Division has concerns regarding expenses paid by One Voice in the amount of Four Thousand, Thirty-One Dollars and Forty-Four Cents (\$4031.44), which includes training and hotel expenses as these expenses were billed to the NAACP. After reviewing the response, the Division has allowed these expenses as notarized statements have been received from Derrick Johnson, Monica McInnis, Carroll Rhodes, and Anthony Witherspoon indicating that the subject training, lodging, or other related redistricting expenses included in the \$4031.44 were used solely for One Voice's benefit and purpose only.
8. Respondent agrees to submit an audited financial statement to the Division each year as required by law.
9. Respondent acknowledges and agrees that the Division will be conducting follow-up exams to ensure compliance with the law to cover years not reviewed in the current exam.

10. The Division acknowledges that since the examination began, Respondent has received reimbursements from the appropriate persons in the amount of Seven Thousand, Three Hundred, Seventy-Four Dollars and Forty-Two Cents (\$7374.42) for expenses paid by One Voice that was not in furtherance of its charitable purpose, including but not limited to, purchases from Chuck E Cheese's, iTunes & Netflix, RedBox rentals, Broadway tickets, spa treatments, and barbershop expenses.

11. Respondent agrees to treat One Voice and the Mississippi State Conference of the NAACP as two distinct organizations, including but not limited to, its personnel, assets, inventory, expenditures, funds, financial and solicitation records, invoices, receipts, and deposits.

12. Respondent agrees to institute and follow a ground transportation reimbursement policy, along with its travel policy.

13. Respondent agrees to eliminate debit card cash withdrawals transactions.

14. Respondent agrees that it will no longer allow an officer, director, and/or employee to sign checks made payable to themselves. The payee of the check shall not be the signer of the check under any circumstances.

15. The Division shall impose a penalty upon the Respondent in the amount of Five Hundred Dollars (\$500.00) for violating the Act. Respondent shall remit payment to the Division, payable to the "Mississippi Secretary of State" upon execution of this Agreement.

16. This Consent Order is in resolution of the matters contained herein. As a result of this Consent Order, the matters contained herein cannot be used as a basis for action by the Division except in determining any penalty as may be imposed by the Division for any future violations of the Act committed by the Respondent and as set forth below.

17. Respondent agrees that it will comply with the provisions of the Mississippi Charitable Solicitations Act as currently in effect or as may be subsequently amended.

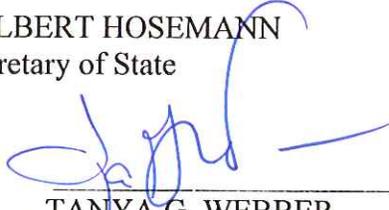
18. Items not addressed in this Consent Order are not deemed to be approved by the Division. This Consent Order only applies to the matters addressed herein. This Consent Order resolves all matters addressed in the course of this examination up to December 31, 2012.

IV.

In the event Respondent fails or neglects to comply with any of the terms, stipulations or undertakings set forth in this Consent Order, the Division may, without notice to the Respondent, unilaterally rescind this Order and institute any legal or administrative proceedings it deems appropriate including, but not limited to, proceedings to address the matters set forth herein.

DELBERT HOSEMANN
Secretary of State

By:



TANYA G. WEBBER
Assistant Secretary of State
Charities Division

Date:

8/7/13

The undersigned agent for One Voice acknowledges that he/she has been lawfully vested with the authority to enter into this Consent Order on behalf of the Respondent.

ONE VOICE

By: Safiya R. Omari
Sign Name

Safiya R. Omari
Print Name

Chair, Board of Directors
Title

Date: August 21, 2013