

Fighting telemarketing fraud against the elderly

During a visit with your mother, you notice a stack of wire transfer receipts totaling thousands of dollars. When you ask what they are for, she says she is paying taxes on a prize she has won. After you investigate further, you think she is being scammed by fraudulent telemarketers. What can you do?

Consumers lose more than \$40 billion a year to telemarketing fraud. People over 65 years of age are especially vulnerable and account for about one-third of all scam victims while only making up one-eighth of the population, according to a study by the American Association of Retired Persons. Scam artists often target older people, knowing they tend to be trusting, polite toward strangers, are likely to be home, and are likely to have time to talk with callers.

You can help empower your parents and others who may be targets of fraudulent

telemarketers by describing some tips about rip-off scams, letting them know their rights and suggesting ways they can protect themselves.

Tip-offs to phone fraud

Many scams involve bogus prize offers, phony travel packages, get-rich-quick investments, and fake charities. Con artists are skilled liars who spend a lot of time polishing their sales pitches. As a result, it can be difficult to see through their scams.

Alert those you care about to be on their guard if they hear the buzzwords for fraud. Among the tip-offs are:

- You must act “now” or the offer will expire.
- You have won a “free” gift, vacation or prize – but you must pay taxes or some other charge.

- You must send money by Western Union, give a credit card or bank account number, or have your check picked up by courier – before you have had a chance to consider the offer carefully.
- It is not necessary to check out the company with anyone – including your family lawyer, accountant, local Better Business Bureau, or the Bureau of Consumer Protection.
- You do not need written information about the company or its references.
- You cannot afford to miss this “high-profit, no-risk” offer.

If the calls come from Jamaica, be suspicious. Jamaican phone scams are on the rise. Calls coming from Jamaica appear just like calls from a neighboring state on your Caller ID. Consumers can be alerted to these calls by the “876” prefix, which is the area code for Jamaica.

Watch out for Robocalls

Robocalls use a computerized auto dialer and a computer delivered prerecorded message. This causes these annoying calls to come in at all hours.

Robocalls are most commonly associated with phishing scams where the caller is “phishing” for your personal information, such as credit card numbers or social security numbers, by pretending they are with your bank or credit card company. Scammers do this so you will think the call is important and respond or call them back.

Robocall scammers can be relentless calling daily. The best thing to do is hang up without responding or pressing any buttons even if they prompt you to “Press 1 to be removed from our list.” By pressing a button the scammer knows this line has someone on the other end and it may even increase the calls.

Grandparents scam

A Grandparents scam is when someone calls claiming to be your grandchild or loved one when they really are not. The caller claims they are in trouble and needs you to help them by sending money right away.

The caller will usually begin by greeting you with “Hi Grandma/Grandpa” or something similar. Scammers do this in hopes that you will volunteer up a grandchild’s name.

They may claim to need cash for tuition or textbooks, to fix a car, to get out of jail, for hospital bills, or to leave a foreign country. They beg you to wire money right away and to keep the request confidential. This request is made to help the scammer ensure that the grandparent will not hang up and call someone else to check on what is happening with their grandchild and being tipped off to the scam.

Victims of this scam often do not realize they have made a mistake until days later when they speak to their actual grandchild who knows nothing about the phone call. By then, the money the grandparent wired is long gone and irretrievable.

Scammers usually pressure people to wire money through commercial money transfer companies like Western Union or Money Gram because wiring money is the same as sending cash. The chances of recovery are slim to none.

Regardless of the particulars, a grandparent's love and concern often outweighs any skepticism they may have. This is what the bad guys are banking on.

Sucker lists

Telemarketing criminals sometimes work out of “boiler rooms,” where many well trained con artists work together. They may use the names and phone numbers on “sucker lists” of people who have responded to a previous telemarketing, Internet, or mail fraud scam. These sucker lists are then sold back and forth. If you are on one, you will be a repeat target for scams. The trick is to follow the tips in this fact sheet and avoid being put on a sucker list in the first place.

The law

It also is helpful for people who are the targets of fraudulent telemarketers to know their rights. Anyone who is troubled by calls – whether abusive, deceptive or simply annoying – should know that, under Wisconsin and federal law:

- It is illegal for a telemarketer to call you if you have asked not to be called.
- Calling times are restricted to the hours between 8 a.m. and 9 p.m.
- Telemarketers must tell you it is a sales call, the name of the seller, and what they are selling before they make their pitch. If it is a prize promotion, they must tell you that you do not have to pay or buy anything to enter or win.

- Telemarketers may not lie about any information, including any facts about their goods or services, the earnings potential, profitability, risk or liquidity of an investment, or the nature of a prize in a prize promotion scheme.
- Before you pay, telemarketers must tell you the total cost of the goods, any restrictions on getting or using them, and if the sale is final or nonrefundable.
- In a prize promotion, they must tell you the odds of winning, that no purchase or payment is necessary to win, and any restrictions or conditions of receiving the prize.
- Telemarketers may not withdraw money from your checking account without your express, verifiable authorization.
- Telemarketers cannot lie to get you to pay.
- You do not have to pay for credit repair, recovery room, or advance fee loan/credit services until these services have been delivered.

How to protect targets of telemarketing fraud

You also can help people you care about develop responses that will end an unwanted sales call. Possible responses to unwanted callers include:

- “I do not do business with people I do not know.”
- “Please put me on your ‘Do-Not-Call List.’”
- “I will need to see written information on your offer before I consider giving you money.” You may want to follow this with, “You can send that information to my attorney’s office at...”
- Perhaps the easiest response is, “I am not interested. Thank you and good-bye.” Hang up with no further discussion.

Urge your parents or anyone else troubled by calls to resist high-pressure sales tactics. Legitimate businesses respect the fact that a person is not interested. Remind an older person to:

- Say so if they do not want the seller to call back. If they do call back, they are breaking the law. That is the signal to hang up.

- Take their time and ask for written information about the product, service, investment opportunity, or charity that is the subject of the call.
- Talk to a friend, relative, or financial advisor before responding to a solicitation. Their financial investments may have consequences for the family or close friends.
- Hang up if they are asked to pay for a prize. Free is free.
- Keep information about their bank accounts and credit cards private unless they initiated the call and know with whom they are dealing.
- Hang up if a telemarketer calls before 8 a.m. or after 9 p.m.
- Check out any company with the Bureau of Consumer Protection before buying any product or service or donating any money as a result of an unsolicited phone call.
- Finally, remind an older person not to send money – cash, check or money order – by courier, overnight delivery, or wire transfer to anyone who insists on immediate payment.

Tips to help curb calls

Here are five ways to help make unscrupulous telemarketers go away:

- Never give personal information to someone on the phone unless you initiated the call and have confidence in the person or agency receiving the call.
- If the caller tells you he or she wants to give you something for free, then you should not have to pay to receive it.
- So-called limited time offers should not require an immediate decision right then and there.
- In addition to rushing you, some telemarketers will try to convince you not to talk to anyone about the call. Legitimate companies would never ask you to keep the call a secret.
- It can be hard to understand all the details of a verbal offer. Request that the material be mailed to you and then you will decide.

If it does not feel right or the telemarketer is pressuring you, hang up.

Attached is a simple form to use when contacting companies. These efforts may not eliminate all unwanted telephone

calls, but they should be significantly reduced.

If you or those you care about continue to receive unwanted calls or text messages from telemarketers, we suggest you track them using the enclosed Telemarketer Harassment Record form. Send us a copy of this telephone harassment record to report potential violations.

To stop telephone sales calls and text messages from many legitimate telemarketers, register your home and mobile residential numbers on the Wisconsin Do Not Call Registry at no cost by visiting:

www.donotcall.gov

or by calling:

1-888-382-1222

You must call from the phone number you wish to register.

While adding your name to the Wisconsin Do Not Call Registry will reduce the number of calls you receive, please know that there are certain groups that are exempt from Wisconsin's No Call laws.

These exemptions include:

- Non-profit groups solely seeking a donation.
- Companies you currently do business with.
- Surveys as long as it is not part of a plan or scheme to sell products, goods, or services.
- Calls made in response to your written or verbal request.
- Polls and political purposes.
- Collection agencies.

For more information or to file a complaint, visit our website or contact the Bureau of Consumer Protection.

**Bureau of Consumer Protection
2811 Agriculture Drive
PO Box 8911
Madison WI 53708-8911**

E-MAIL:

DATCPHotline@wisconsin.gov

WEBSITE: datcp.wisconsin.gov

Toll-free in WI: (800) 422-7128

(608) 224-4976 FAX: (608) 224-4677

TTY: (608) 224-5058

Wisconsin Department of Agriculture, Trade, and Consumer Protection

Telemarketing Harassment Record

Wis. Adm. Code §§ ATCP 127.16 and 127.04

Date of Call	Time	Name of Company	Wisconsin Solicitor License #	Name of Caller	Name of Company Telemarketer Represents	Address and Phone Number of Company Offering Product	Product Being Sold	Did you ask caller not to call again?

Remind the telemarketer not to call you again!

Your Name: _____

Address: _____

Telephone: _____

Sign up for the
Wisconsin Do Not Call Registry at:

(888) 382-1222

NoCall.Wisconsin.gov

Email: DATCPWINoCall@Wisconsin.gov

Were you on the Wisconsin Do Not Call Registry at the time of the above call(s)? yes no

