



**Before
The Ohio Senate
Judiciary Committee**

**Proponent Testimony on Senate Bill 290
(Protecting Ohioans from Caller ID Spoofing)
by
Terry Etter**

**On Behalf of the
Office of the Ohio Consumers' Counsel**

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Hello Chair Bacon, Vice-Chair Dolan, Ranking Member Thomas, and members of the Judiciary Committee. Consumers' Counsel Weston thanks you for this opportunity to testify as a proponent of Senate Bill 290 and thanks the Bill sponsor (Senator Burke) and the co-sponsors (Senators Huffman, Schiavoni and Beagle). Senate Bill 290 will protect Ohioans from criminals who use false Caller ID information in their schemes to defraud consumers. And we appreciate the companion bill, House Bill 597, in the House of Representatives.

The practice of transmitting false Caller ID information is known as "spoofing." Spoofing harms consumers in several ways. Some telemarketers use spoofing to induce Ohioans to answer telemarketing calls that consumers would otherwise avoid answering. Through spoofing, telemarketers can fool consumers into believing the caller is a neighbor, friend or another trusted source. These unwanted marketing calls may also prevent consumers from receiving calls they want to receive, by tying up the consumer's line. Also problematic is that

spoofing may lead to consumers ignoring actual calls made by relatives and friends if consumers begin to distrust the Caller ID information.

Currently, Ohio law (R.C. 4719.08(I) and 4719.21) only prohibits telemarketers from blocking their Caller ID information. But this intention in the law for Ohioans to see Caller ID information from telemarketers is undermined when the Caller ID information is spoofed. The current law for governing telephone solicitors is enforced by the Ohio Attorney General.

Senate Bill 290 would amend the criminal code to make it illegal to spoof Caller ID information to “knowingly” defraud or harm consumers. (Lines 18-21) But much of the spoofing that occurs is meant to fool consumers into accepting a telemarketing call by making them think that they’re receiving a call from somebody they know. That practice is misleading to Ohioans, even if not designed to defraud them.

To protect Ohioans, Senate Bill 290 should be amended to include spoofing among the prohibited telemarketing acts in Ohio, so that Ohioans are protected from *all* telemarketer calls that use misleading Caller ID information. This consumer protection can be achieved by revising R.C. 4719.08 (which lists prohibited acts in telemarketing, including telemarketer blocking of their Caller ID information) and revising R.C. 4719.21 (which prohibits Caller ID blocking by telemarketers). Telemarketers should not be allowed to transmit or cause to transmit Caller ID information other than their own information or information of the company for which they are calling.

Again, thank you for the opportunity to testify in support of this legislation to protect Ohio consumers.