



**Before
The Ohio House
Criminal Justice Committee**

**Proponent Testimony on House Bill 597
(Protecting Ohioans from Caller ID Spoofing)
by
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**On Behalf of the
Office of the Ohio Consumers' Counsel**

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Hello Chair Manning, Vice-Chair Lanese, Ranking Member Celebrezze, and members of the Criminal Justice Committee. Consumers' Counsel Weston thanks you for this opportunity to testify as a proponent of House Bill 597 and thanks the Bill sponsors (Representatives Faber and Dever) and the co-sponsors (Representatives Brinkman, Roegner, Koehler, Becker, Anielski, Green, Henne, Hoops, and DeVitis). House Bill 597 will protect Ohioans from criminals who use false Caller ID information in their schemes to defraud consumers. And we appreciate the companion bill, Senate Bill 290, in the Senate.

The practice of transmitting false Caller ID information is known as "spoofing." Spoofing harms consumers in several ways. At its worst, spoofing can be used by bad actors seeking to defraud or otherwise harm Ohioans. 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 doctors, potential employers, relatives, or friends if consumers begin to distrust the Caller ID information.

Currently, Ohio law (R.C. 4719.08(l) 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. In addition, consumers may file a civil suit against telemarketers who violate either the law or any rule implementing the law (R.C. 4719.15).

House Bill 597 would amend the criminal code to make it illegal to spoof Caller ID information to "knowingly" defraud or harm consumers. (Lines 16-21) That would be a good protection for consumers. 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, House Bill 597 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.