



The Michigan **DVOCATE**

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MICHIGAN CRIME VICTIM SERVICES COMMISSION

THE MICHIGAN ADVOCATE was created in 2000 to provide information and resources to VOCA Grantee-agencies, other crime victim programs, and advocates in Michigan and throughout the country. This publication strives to help professionals maintain comprehensive and quality services to victims of crime and to inform advocates of broader issues affecting crime victim services.

THE MICHIGAN ADVOCATE is published twice yearly and has recently evolved into an electronic format allowing for broader distribution of news relevant to crime victim services.

www.michiganadvocate.org



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

JANET OLSZEWSKI
DIRECTOR

Date: October 29, 2007

To: Crime Victim Services Commission Members

From: Mike Fullwood, Director

I have had the unique privilege of serving this Commission since 1980, and today I am notifying you of my retirement from state service effective November 1, 2007. We have faced many challenges together as we have worked to restore and enrich the lives of crime victims. Please know that I will always be grateful for your support, your guidance and your friendship.

I urge you to maintain your focus upon the health, safety, rights and well being of victims of crime; and I urge you to provide cohesive and visible support of public policy initiatives that advance these goals within Michigan's historic framework of crime victim services legislation.

Specifically, and critically, your FY2005 recommendations to amend PA 223 of 1976 and PA 196 of 1989 remain unaddressed by the legislature. These recommendations must be secured in order to maintain an adequate and sustainable funding base for required statutory services, to restore compensation benefits to meaningful capacity, and to expand services for victims of rape and serious trauma.

You retain nine exceptionally talented, dedicated and caring victim services staff in our department office. We are blessed with this fine group of program leaders and representatives; and I have every confidence that they will exercise continued diligence in support of your efforts. Strive to maintain our positive and mutually supportive relationships with criminal justice partners, advocates and local service providers; closely monitor the process of annual federal appropriation of VOCA funds; and fervently resist any diversion of Michigan's crime victim's rights fund for ill-assorted intentions.

I greatly value the opportunity I have had to work with you; and I leave with the knowledge and satisfaction that we have made a positive difference in the lives of countless numbers of people in the State of Michigan.

Thank you, good luck and farewell.

CC/MPHI, PAAM, MSA

Online Victim Assistance Training Now Available

▪ By Mary Zack Thompson

The Office for Victims of Crime (OVC) has recently made available two online advocate trainings. The Victim Assistance Training Online (VAT Online) and Sexual Assault Advocate/Counselor Training (SAACT).

Victim Assistance Training Online (VAT Online)

This is a basic victim advocacy web-based training program for victim services providers and allied professionals, which covers the basic skills and knowledge necessary to assist victims of crime.

Designed for new victim service providers, as well as for those who would like to refresh their skills and gather up-to-date information, the online format provides the opportunity to complete the training at a time and place convenient to the learner. The training presents the core competencies and basic skills needed by victim service providers to effectively and sensitively assist victims of crime.

VAT Online includes seven training modules, which cover the following topics:

1. Training goals and how to navigate the online training
2. Basic issues that form the foundation for victim services, including ethics and cultural competency
3. Information on 14 types of crimes, including characteristics, prevalence, and more
4. Core skills needed by victim service providers, including establishing rapport, problem solving, and crisis intervention
5. Specific topics and skills needed to serve diverse populations

6. Information on how to collaborate with various systems, including community-, criminal justice-, faith-, and reservation-based systems
7. Challenging situations - and successful strategies - for victim service providers

The training can be accessed at: <https://www.ovcttac.org/vatonline/>

Sexual Assault Advocate/Counselor Training (SAACT)

OVC announces new online training materials for Sexual Assault Advocate/Counselor Training (SAACT). Components include trainer and participant manuals, PowerPoint slides, vignettes, and a customizable agenda.

Be sure to check out the vignettes and customizable agenda to get the most out of the newly released training materials. Trainers will likely find the vignettes a helpful tool in encouraging class discussions. The six vignettes available for online or offline viewing cover these sensitive topics:

1. Confidentiality
2. Sexually Transmitted Infections
3. Medical Evidentiary Exam
4. Supportive Methods Medical Evidentiary Exam
5. Suicide Risk
6. Secondary Post-Traumatic Stress

This training can be accessed online at: <https://www.ovcttac.org/saact/index.cfm>

Mary Zack Thompson is the Project Coordinator for the Crime Victim Services Commission Technical Assistance Project at MPHI.

Volunteers Part I: What makes them stay?

■ By Christine Litch

It's no secret that a dedicated group of volunteers is an important cornerstone of many nonprofit agencies. In fact, according to a recent study, approximately 6 million volunteers are active in American nonprofit organizations, contributing a total of more than 15 billion volunteer hours. Volunteer hours equate to the work of more than 9 million full-time employees, making the value of volunteer labor close to \$284 billion. With statistics like these, it's also no secret that organizations should be willing to do what it takes to retain volunteers. But exactly what *does* it take to keep volunteers? And what causes volunteers to leave?

Simply put, to reduce turnover, volunteers must be pleased with the environment in which they work and motivated by the tasks to which they are assigned. This month, we look at the things that motivate volunteers to stay. Next month, we'll examine the environmental factors that cause them to leave.

Understanding Motivation

When someone shows up to volunteer, often there are many people making bids for his or her time. Everyone's "to-do" list rolls out, and a volunteer may find himself or herself shuffled to a variety of people doing a range of tasks. To retain volunteers, however, an organization needs to be aware of what motivates and leads each one to feel satisfied with the time he or she donates.

Skill Development

Some volunteers want to bring their expertise to your group, whether it is their marketing background, computer experience, or people skills. Others may volunteer to enhance certain skills or maintain ones they already possess. Still others come with the desire to learn something new.

For example, if you find out that your new volunteer, Susan, works in the telemarketing industry, your immediate thought might be to assign her the task of fundraising via telephone. If you dig deeper, however, you'll learn that Susan is volunteering to get *away* from the stress of her day job, and that she really wants to become part of the volunteer training team. Susan would like to learn about your organization and refine her management and speaking skills. With the experience she acquires by volunteering with you, she hopes to secure a new job.

This example illustrates how crucial it is to gather information from a newly recruited volunteer. Find out not only his/her current skills but also what skills he or she wishes to develop through volunteer activities. This is a valuable means of evaluating the tasks that should be assigned to maximize retention.

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Volunteers Part I: What makes them stay? continued...

Personal Growth

Many volunteers come to an organization hoping to expand their horizons. Like Susan, some feel that their volunteer experience will help them advance in their careers. Others simply want to use their volunteer service as a way to cultivate new interests. Another portion will use their volunteering to aid them in making career or education choices.

Challenge

Volunteers enjoy challenging tasks and look for chances to step up to the next level. If this sense of challenge is lacking, volunteers will not generally continue service with an organization. Make sure you give your volunteers some interesting, more challenging activities along with more "routine" assignments.

Contact with Clients

Some of the most rewarding work for volunteers can be direct contact with the individuals an organization serves. They can see the direct benefits of their work in their role as a mentor, helper, or other capacity. Sometimes a volunteer's greatest motivation to continue his or her service is a heartfelt "thank you" from a client.

Recognition of Service

Another integral part of volunteer retention is recognizing and appreciating the time and effort volunteers bring to your organization. Emphasize to your volunteers the importance of their contributions; volunteers who stay are ones who feel they are making a significant impact.

Of course, there are many ways to say "thank you." Informally, something as simple as "You're doing a great job!" can

be a big morale booster. Making snacks available during projects or meetings is another way to show your appreciation.

More formally, consider a once-a-year volunteer appreciation night to award certificates, etc. Although this latter idea seems obvious, a recent study by the Urban Institute found that just 30 percent of charities actually follow this practice.

It is important not only to recognize volunteers within an organization but also to promote their accomplishments within the community. Consider using the same methods your group already uses to publicize its programs to acknowledge your volunteers' important work and accomplishments as well. In addition, you may want to ask volunteers if they would like their employers to be made aware of their contributions to your organization.

Rewards

Even though volunteers are not compensated monetarily, your organization should definitely consider rewarding them in other ways. Effective rewards can include such simple, no-cost things as reserving parking spaces for volunteers or giving them their own desks or workspaces.

As far as actual tasks are concerned, volunteer jobs can be designed in hierarchical levels, allowing a volunteer to advance over time and acquire a higher "status." With each level, an organization can allow for increases in self-direction and decision making. Not only will the added responsibilities make the volunteer feel "promoted" but he or she will also feel more engaged. Volunteer coordinators may also want to reward well-proven

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Volunteers Part I: What makes them stay? continued...

volunteers by allowing them to train or mentor new recruits or by assigning them special projects.

Summary

Even though volunteers come to an organization to donate their time and abilities, it's important to keep in mind that it's not what they can do for you that keeps them coming back, it's what you can do for them. Given the points we've outlined, it's easy to see that many volunteer retention factors are under the direct control of the organization. Although it appears there are many aspects to juggle, in terms of your organization's time and energy investment, it's worth the effort to keep a volunteer.

It's important to remember that your organization's general goals should be twofold. First and foremost, of course, you

are there to fulfill your mission within the community. When a second priority becomes enhancing the lives of the volunteers who help carry this mission forward, you will see an increase in volunteer involvement and retention. As artist and author Florence Scovel Shinn put it: "Giving opens the way for receiving."

Read "Volunteers, Part II: Why Do They Leave?"

Christine Litch works for VolunteerHub, the latest version of a system first conceived in 1996 to facilitate volunteer registration for the University of Michigan's campus chapter of Habitat for Humanity.

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Guidestar.org*

Volunteers Part II: What makes them leave?

■ By Christine Litch

A dingy or poorly arranged office/workplace, inadequate supervision or leadership quality, and nonexistent or ineffective communication can all make a volunteer head for the door, never to return. Fortunately, these environmental factors are all under a nonprofit's direct control.

Appearance of Office/Workspace

Although it's tempting for a nonprofit to downplay "appearances," a cramped, cluttered, or outdated space is not appealing to most volunteers. No-cost or low-cost solutions such as a simple coat of paint or rearranging desks and equipment may make all the difference. Also examine the lighting to make sure that the space is well lit and inviting.

Equipment Quality

Give volunteers the proper tools to do their tasks. If you don't, their frustration levels can run high. Anything from having a hole punch, paper cutter, or stapler that doesn't work, clear up to the computer that freezes when data entry on a spreadsheet is almost complete, can drive a volunteer to distraction—and departure.

Orientation and Training

Just as in the business sector, orientation and training are of paramount importance. A new volunteer should be introduced to the organization and its mission. The volunteer can then see how the organization's services fit into the community.

Part of orientation should also involve communicating how the volunteer's tasks mesh with the organization's goals. After the initial overview, a volunteer should have a training period, in which he or she receives instructions on and becomes familiar with assigned tasks. As in the private sector, make sure to design policies and "job descriptions" for volunteers, so they will know what is expected of them. Ongoing or "refresher" training is also helpful.

Although these suggestions seem rudimentary, research has shown that many volunteers do not receive much in the way of formal training. Instead, many organizations fall back on on-the-job training or use other volunteers as makeshift trainers. Nonprofits should be sure to have "train the trainer" workshops for those in charge of training and orientation of newly recruited volunteers.

Communication

Volunteers should receive clear, day-to-day instructions about their assigned tasks. Make sure every volunteer knows to whom he or she may go for additional instructions or clarification.

In a larger sense, communication also plays a key role in keeping volunteers on the same playing field as any paid staff members. Make sure key correspondence is sent to volunteers as well as staff members.

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Volunteers Part II: What makes them leave? continued...

If a volunteer works in a particular department, make sure to add his or her e-mail address to the distribution group for that team. Volunteers should also be kept abreast of outside issues affecting the organization and factors affecting their jobs within the organization. Invite volunteers to staff meetings if at all possible.

Remember that communication is a two-way street. Make sure to ask periodically for volunteers' feedback. Soliciting feedback can be as informal as asking, "How's everything going?" to conducting a formal survey.

Don't forget evaluation. Not only should supervisors solicit feedback from volunteers but supervisors should also provide feedback to volunteers. Whether done in a formal or informal fashion, providing information about a volunteer's work will enhance his or her future performance.

Organization

Many volunteers complain about the level of disorganization within an organization, sometimes leading to a perception of wasted time, money, or energy. One of the most effective ways to improve volunteers' perception of your group is to put more effort into volunteer coordination. Of course, a volunteer coordinator's time is often stretched thin and allocated to a variety of other tasks as well.

To ease some of the load for volunteer coordinators, a number of nonprofits are turning to on-line scheduling programs. Streamlining volunteer organization, these scheduling tools allow volunteer coordinators to devote more time to volunteers and less time to paperwork, phone calls, and e-mails. On-line scheduling allows new projects to be posted and volunteers

to be alerted. Volunteers can log on to the site at their convenience, 24/7. They can browse the site to find projects they are interested in and sign up.

Additionally, on-line scheduling provides extra organizational tools for administrators. When planning and promoting an event, a maximum number of participants can be set, so that there are neither too many nor too few volunteers for a given project. Real-time numbers allow project coordinators to allocate an appropriate amount of resources to a task, eliminating redundancy, waste, and unnecessary expense.

Interpersonal Relationships

Team building is an important aspect of any group. Make sure that volunteers feel comfortable with the other volunteers in the organization as well as supervisors, paid employees, and individuals the organization serves (if applicable). Turn-over tends to reduce when volunteers develop good interpersonal relationships with others and feel they are part of a team and have a support network within the organization.

Working Conditions

Educating paid staff about the value volunteers bring to an organization is crucial. Paid staff should give volunteers the same respect as any other coworker. Volunteer coordinators should also take care that volunteers are treated equally and fairly.

Any volunteer who feels that he or she is being given unequal work or less opportunity is more likely to become dissatisfied and leave the organization.

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Volunteers Part II: What makes them leave? continued...

Summary

If the prospect of improving in all these areas seems daunting, then start with some basics. A recent study has concluded that two key factors in volunteer retention are orientation/training and assigning challenging tasks to volunteers. Looking beyond the study, however, think first about improving communication and organization, and you will see an increase in efficiency. This will allow you to dedicate more time to the key factors and ultimately toward all of the volunteer retention aspects.

Christine Litch works for VolunteerHub, the latest version of a system first conceived in 1996 to facilitate volunteer registration for the University of Michigan's campus chapter of Habitat for Humanity.

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Resources for Agencies Serving Crime Victims with Disabilities

■ By Mary Zack Thompson

According to Census data, individuals with disabilities constitute roughly 1 in 5 individuals in the US. Research on crime victims has shown that people with developmental disabilities have a four to ten times higher risk of becoming crime victims than persons without disabilities. Further, a woman with a disability, regardless of age, socioeconomic status, race, ethnicity or sexual orientation, is twice as likely to be a victim of abuse than a woman without a disability.

All victims of crime have the right to receive services and supports to help them resolve the many complexities surrounding their experiences with crime. While individuals with disabilities are more likely to be victimized than the general public, they are less likely to report the crime or get help for it. It is critical that these individuals gain the same degree of access to victims' service agencies as is afforded to those without disabilities.

Victims' with disabilities can face many challenges when trying to seek support from human service agencies. The National Center for Victims of Crime website contains a host of information about serving victims with disabilities. The website, located at http://www.ncvc.org/ncvc/main.aspx?dbID=DB_CrimeVictimswithDisabilities821, has many resources for

providers including webcasts, bulletins articles, and information on training opportunities.

DisabilityInfo.gov provides a host of disability-related information and resources from the Federal government.

The website offers information and resources for people with disabilities to help them actively participate in the workforce and their communities. The website recently unveiled a new feature, a state and local resources map, designed to assist visitors with finding disability-related information in their own areas. While DisabilityInfo.gov is now well-known as a comprehensive source for government information at the federal level, this new feature enables users to search for disability service organizations at the state and local government levels, as well as federal offices close to home, in every state and US territory. The site also features a page for Crime Victims with Disabilities, with links to many helpful web resources.

Mary Zack Thompson is the Project Coordinator for the Crime Victim Services Commission Technical Assistance Project at MPHI.

Michigan Response to Hate: Building United Communities

■ By Harold Core

One of the most important elements in the prevention of hate crime is community involvement. A community that does not actively speak against hate is a community that invites hate to spread.

Children are often most easily impressed by the variety of messages on how to treat others. Accordingly, we must ask ourselves, "What lesson do we want our children to learn about differences?" If we want that lesson to be one of tolerance, we must make sure that the voices of tolerance speak loudest.

Unfortunately, that is easier said than done. Although most people reject acts of blatant bias against other individuals or groups, bias incidents motivated by race, religion, ethnic or national origin, sexual orientation and disability are on the rise.

In the *2005 Hate Crime Statistics*, published by the FBI's Uniform Crime Reporting Program, there were 7,163 criminal incidents classified as hate or bias crimes. Of that number, 643 of these incidents were reported from Michigan; making our state third in the nation in reported hate crime incidents.

While this statistic demonstrates the commitment of Michigan's law enforcement community to report hate crime, it also shows just how far we have to go toward effectively leveraging our diversity in the 21st century global economy.

Even as the leaders of our state work feverishly to prepare Michigan for a transition into an economy based on technology and information, far too many

of our fellow Michigianians remain stuck in the past. From cross burnings, to racial steering in real estate, to vandalism, racist graffiti and recruitment by hate groups, the past few years have witnessed spectacular acts of intolerant nostalgia against fellow residents.

Just imagine waking up one morning to find a cross burning outside your child's window, or coming home to find your property covered in racial graffiti. How would you feel?

Fortunately, most people will never have to experience a hate crime or even give it much thought. However, for the few that do, it is often a life-altering experience. For those victims, the experience is made all the more traumatic when apparently tolerant friends and neighbors react to the hate with silence.

Fortunately, there are things that those friends and neighbors can do. First, be available, and support the person by listening. Very few words will be consoling; listening is the best form of help in the first few hours and days.

Provide whatever resources you can, whether it is offering to help clean up after hate vandalism, or organizing a tolerance block party in the weeks following an expression of hate.

Finally, community leaders are encouraged to immediately speak out against hate crimes when they happen. Remem-

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Michigan Response to Hate: Building United Communities continued...

ber, you don't have to name the victim or appear to convict a suspect or otherwise preempt a police investigation. It is okay to simply issue a statement confirming the community's commitment to embracing diversity, or appearing at diversity events to show your support. Most importantly, remember that silence is acquiescence. If you do not speak up against hate crime, the voice of hate becomes the voice of your community.

MI Response To Hate

To help highlight the importance of the community's role in the fight against hate crime, on September 6th in Lansing the Michigan Alliance Against Hate Crime (MIAAHC) hosted a conference entitled *MI Response to Hate: Building United Communities*.

MIAAHC is a statewide coalition of over 70 federal, state, and local law enforcement agencies, civil rights organizations, community-based groups, educators, and anti-violence advocates who work to ensure a consistent and effective response to hate crimes and other related incidents of tension and violence in communities across Michigan. More than 300 people attended the conference, which provided a structured opportunity for Michigan to develop community-based response systems to hate and bias incidents.

Conference speakers included Governor Granholm and two nationally renowned experts on hate crimes; Dr. Randy Blazak, Director of the Hate Crimes Research Network at Portland State University and

Mark A. Potok, Director of the Southern Poverty Law Center's (SPLC) Intelligence Project and Editor of Intelligence Report magazine. The conference, which hosted a number of workshops on responding to hate, concluded with an exercise on the beginning steps of building local response networks.

Perhaps most importantly, MIAAHC is now looking to extend on the success of the conference by creating resources and tools to make the concept of local response networks a reality. It is clear that local responses to hate – responses from leaders and residents within the affected community – are most effective at combating hate.

We must all work together to ensure that the voices of intolerance and hate do not speak on behalf of our communities.

If you have been a victim of hate crime, or would like additional information on hate crime and other civil rights issues, please contact the Michigan Department of Civil Rights at:

*1-800-482-3604 or
Michigan Department of Civil Rights
Capital Tower Building
110 West Michigan Avenue- Suite 900
Lansing, MI 48933*

Harold Core is a Public Information Officer at the Michigan Department of Civil Rights.

VOCA Grantees Making A Difference

"They are the first-ever "team" to be bestowed the honor in Michigan."

2007 Macomb County ATHENA Awards recipients named

Sue Coats, President/CEO of Turning Point, Inc. & **Deb McPeek**, Director of Programs for Turning Point, Inc., were named the recipients of the **2007 ATHENA Award** on Thursday, June 7 at the Macomb Foundation's annual honorary event. They are the first-ever "team" to be bestowed the honor in Michigan.

As President and CEO of Turning Point, Inc., a Macomb County non-profit that provides services to survivors of domestic violence and sexual assault, Sue Coats assists women in reaching their full potential every day. For 17+ years, her efforts to develop Turning Point's crisis and advocacy services has made it possible for abused women to start a new life. Her path to leadership has been a model for the women who work with her (96% of Turnings Point's staff). She is a qualified witness in Macomb County Circuit Court criminal sexual

conduct trials and is the recipient of the Apple Blossom Award from the Michigan Coalition Against Domestic & Sexual Violence (1999).



President/CEO of Turning Point, Inc., Sue Coats (Right) and Director of Programs, Deb McPeek (left) were awarded the 2007 Macomb County ATHENA Award.

Deb McPeek is the Director of Programs for Turning Point. For 20 years she has been committed to Turning Point's mission to provide counseling, support, advocacy, and a safe haven to women who are survivors of domestic and sexual assault.

Deb currently oversees five program directors, 28 staff and 38 volunteers and interns – all women. Over the years, she has made many presentations on the subjects of domestic violence and sexual assault to educate the community and other professionals that deal with these issues.

Thirty-two outstanding men and women were nominated for the award, which is given to those who actively assist women in realizing their full leadership potential; exemplify excellence and initiative; and contribute to the community as a whole.

The event's keynote speaker was **Mary Kramer**, Publisher of *Crain's Detroit Business*,

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2007 Macomb County ATHENA Award recipients named continued...

and the mistress of ceremonies **Lila Lazarus**, Anchor for Fox 2 Detroit. 260 friends, family and colleagues of over 30 nominees turned out at the event.

This article was reprinted with permission from the Macomb Chamber of Commerce Chamber News.

Resources for Non-Profit Agencies

The CVSC has identified additional web-resources for VOCA grantees.

The first site is hosted by the University of Michigan's School of Social Work, located at <http://www.ssw.umich.edu/grantsetc/>. Information is presented on both funding sources (government, foundations and corporate giving, charities, gifts from individuals, and non-cash contributions) and learning resources (courses and workshops, professional associations, journals and newsletters, tax and legal issues, libraries and databanks, and non-profit management). For example, the non-profit management page includes resources for information on governance,

▪ By Mary Zack Thompson

fiscal management, performance appraisal, strategic planning, staff and volunteer training, lobbying, and coalition building.

The second site, <http://www.stayexempt.org/>, is an IRS training site for non-profit organizations. Five training courses can be accessed covering tax-exempt status, unrelated business, employment issues, form 990, and required disclosures. This site can help non-profits maintain their tax-exempt status.

Mary Zack Thompson is the Project Coordinator for the Crime Victim Services Commission Technical Assistance Project at MPHI.

Caller ID Spoofing: Protecting Privacy and Preventing Fraud

■ By Allison Knight

From celebrities accessing one another's voicemail systems to identity thieves impersonating banks, individuals have used caller ID spoofing to fraudulently access or obtain the personal information of others for a variety of nefarious purposes.¹ Horror stories reported in the media prompted Congress to consider legislation to criminalize caller ID spoofing in both the 2006 and 2007 sessions.² However, as with any technology, caller ID spoofing can be used for both legitimate and illegitimate purposes. While caller ID spoofing can be used to facilitate fraud, the technique can also protect individuals' privacy, and in some cases, it may be necessary for an individual's safety. Rather than banning all caller ID spoofing, effective legislation should focus punishment on harmful and fraudulent uses of the technique while preserving its legitimate uses.

Caller ID spoofing occurs when a caller conceals his or her phone number and causes another number to appear on the recipient's caller identification system. Before caller ID services were offered, telephone customers generally had the ability to control the circumstances under

which their phone numbers were disclosed to others. In many cases, there was little need for a telephone customer to disclose a personal phone number

The advent of caller ID services resulted in a loss of individual privacy. Two separate and important privacy interests are involved in the issue of caller ID spoofing. First, there is the right for call recipients to be free from pretexting and other fraud. Second, there is the right of callers to limit the disclosure of their phone numbers in order to protect their privacy, and in some cases, their safety.³

Pretexting is a technique by which a bad actor can obtain an individual's personal information by impersonating a trusted entity. Pretexters have spoofed the telephone numbers of courthouses in order to harass people for supposedly missing jury duty, threatening fines or arrest unless they turn over Social

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¹ Recent examples include: Dustin Weis, *Who (or What) is Calling 911 and Hanging Up?*, Wisconsin State Journal, August 25, 2007, available at <http://www.madison.com/wsj/home/local/index.php?ntid=207120&ntpid=2>; Robert McMillan, *Paris Hilton Accused of Voice-Mail Hacking*, PC World, August 25, 2006, <http://www.pcworld.com/article/id,126923-page,1-c,hackers/article.html>; Peter Svensson, *Caller ID Spoofing Becomes All Too Easy*, USA Today.com, March 1, 2006, http://www.usatoday.com/tech/news/2006-03-01-caller-id_x.htm.

² The Truth in Caller ID Act of 2006, H.R. 5126, 109th Cong. (2006); The Truth in Caller ID Act of 2007, H.R. 251, 110th Cong. (2007); The Truth in Caller ID Act of 2007, S.704, 110th Cong. (2007).

³ S.704, the Truth in Caller ID Act of 2007: Before the S. Comm. on Commerce, Science and Transportation, 110th Cong. (2007) (statement of Allison Knight, Director, Privacy and Human Rights Project, Electronic Privacy Information Center). See also H.R.251, the Truth in Caller ID Act of 2007: Before the Subcomm. on Telecommunications and the Internet of the H. Comm. on Energy and Commerce, 110th Cong. (2007) (statement of Allison Knight, Director, Privacy and Human Rights Project, Electronic Privacy Information Center). See also H.R.5126, the Truth in Caller ID Act of 2006: Before the Subcomm. On Telecommunications and the Internet of the H. Comm. on Energy and Commerce, 109th Cong. (2006) (statement of Marc Rotenberg, President and Executive Director, Electronic Privacy Information Center).

Caller ID Spoofing: Protecting Privacy and Preventing Fraud continued...

Security numbers or other personal information.⁴ For these reasons, illegitimate spoofing activities should be curtailed. Law enforcement and telephone companies can retrace these calls to the originating service. A spoofed number is not completely anonymous. Preventing spoofing for harmful reasons would hold illegitimate spoofers accountable.

Caller ID spoofing can also protect the right of call recipients to be free from pretexting and other fraud that can lead to the loss of their privacy, and the threats of stalking, identity theft, and harassment. For example, a person may wish to keep her direct line private when making calls from within an organization, or she may wish for calls from multiple devices to be routed to the same number. Spoofing may also be necessary for domestic violence survivors who are trying to reach family members and do not want their locations revealed to their abusers. Survivors may also need to use caller ID spoofing when calling companies that may have permissive data-sharing policies and sell information to brokers. Caller ID blocking isn't a complete solution for those trying to maintain privacy because automatic number identification systems and other technology can get around blocks, and some call recipients refuse to accept blocked calls.

A 2006 bill introduced in the US House of Representatives did not distinguish between appropriate and inappropriate uses of caller ID spoofing.⁵ The Electronic Privacy Information Center, a public interest research center in Washington DC, recommended in its testimony that any ban on caller ID spoofing include an

intent requirement, so that spoofing is only prohibited where a person "intends to

defraud or cause harm."⁶ This language criminalizes commercial violations as well as threats to physical safety associated with such activities as stalking and domestic violence. Such an intent requirement was included in a subsequent draft of the 2006 bill and was incorporated into the 2007 version of the House bill as well.⁷ A caller ID spoofing bill introduced in the Senate in 2007 made a similar amendment after testimony was offered on this issue in Committee.⁸

At the state level, Oklahoma is the only jurisdiction to date that has enacted specific caller ID spoofing legislation, largely in response to complaints of fraud against the State's elderly community.⁹ Unfortunately, the Oklahoma legislation creates an outright ban on caller ID spoofing technology, leaving no protections for those with legitimate need to use the technology. Florida sheriffs recently called for their state legislature to consider similar legislation.¹⁰ Other States, such as Michigan, criminalize the conceal-

Continued on next page

⁴ Sid Kirchmeyer, *Scam Alert: Courthouse Con*, AARP Bulletin, May 2006, http://www.aarp.org/bulletin/consumer/courthouse_con.html.

⁵ The Truth in Caller ID Act of 2006, H.R. 5126, 109th Cong. (2006) (as introduced in the House, April 6, 2006).

⁶ H.R.5126, the Truth in Caller ID Act of 2006: Before the Subcomm. on Telecommunications and the Internet of the H. Comm. on Energy and Commerce, 109th Cong. (2006) (statement of Marc Rotenberg, President and Executive Director, Electronic Privacy Information Center).

⁷ The Truth in Caller ID Act of 2006, H.R. 5126, 109th Cong. (2006) (as amended by the House Committee on Energy and Commerce, June 6, 2006); The Truth in Caller ID Act of 2007, H.R. 251, 110th Cong. (2007) (as introduced in the House, January 5, 2007).

⁸ The Truth in Caller ID Act of 2007, S. 704, 110th Cong. (2007) (as ordered by the Senate Committee on Commerce, Science and Transportation, to be amended, June 27, 2007).

⁹ Anti-Caller ID Spoofing Act, Okla. Stat. tit. 15, § 776.20 (2007).

¹⁰ *Okaloosa Sheriff supports 'spoof proof' act*, August 27, 2007, http://community.emeraldcoast.com/articles/caller_17885___article.html/sheriff_florida.html.

Caller ID Spoofing: Protecting Privacy and Preventing Fraud continued...

ment of one's identity via telecommunications devices for fraudulent purposes.¹¹

Spoofing caller ID numbers can create a real risk to individuals who might be defrauded or harmed by illegitimate uses of this technology. At the same time, it is important not to punish those who may have a legitimate reason to conceal their actual telephone numbers. The inclusion of an intent requirement in caller ID spoofing legislation can adequately distinguish between appropriate and inappropriate caller ID spoofing. None of the pro-

posed caller ID spoofing bills has passed Congress to date, but if the attention given to this issue in the spring and summer is any indication, interest in crafting meaningful legislation to deal with harmful uses of caller ID spoofing is strong. Hopefully, one of the pending federal bills will be enacted into law before the close of the current legislative session.

Allison Knight is the Director of the Privacy and Human Rights Project at the Electronic Privacy Information Center.

¹¹ Sec. 540c. of the Michigan Penal Code states:

(1) A person shall not assemble, develop, manufacture, possess, deliver, or use any type telecommunications access device with the intent to defraud by doing, but not limited to, any of the following... :

(b) Conceal the existence or place of origin or destination of any telecommunications service.

Turning Point, Inc. Chosen 2007 Champion in Action by Charter One Bank and WXYZ-TV

■ By Mary Zack Thompson

Turning Point, Inc. of Mt. Clemmons was named Champion in Action by Charter One Bank and WXYZ-TV in October. The award was given honoring the organization's work in violence prevention in the Detroit Area. The award includes a \$25,000 unrestricted grant, media coverage and public service announcements, and promotion at Charter One Bank branches and ATM locations. In addition, both Charter One Bank and WXYZ-TV employees will provide volunteer support to Turning Point.

Turning Point, Inc. was selected by a committee comprised of community lead-

ers and WXYZ-TV and Charter One Bank representatives.

The Crime Victims Services Commission and MPHI congratulate Turning Point, Inc. on the receipt of this award and well-deserved recognition for its quality service to Michigan's crime victims.

Mary Zack Thompson is the Project Coordinator for the Crime Victim Services Commission Technical Assistance Project at MPHI.