

Legal SCENE

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Working to stop the scammers

Congratulations! You're a winner! You have won the Grand Prize of our Dream Vacation Sweepstakes! To claim your Grand Prize, please call us and wire the \$20,000 required by the IRS to cover the taxes on your \$2.5 Million Grand Prize so we can send you -- or your account representative -- your \$2.5 Million Dollars!

To most of us, this is as obvious a fraud as a Nigerian prince who needs our help. But to many people, especially elderly people who enter real sweepstakes contests, this is not obvious at all. So they send the money. Over and over and over, they send the money. Even after they are told that there is no sweepstakes, that this is a scam, that they will never get any money back, they keep sending the money. Families have had to close bank accounts, change phone numbers, and obtain legal authority to stop their elderly family members from sending even more money. In some cases, these elderly victims even start to see their own family as the enemy, preventing them from claiming their winnings. So these crimes can be very difficult to stop because the victim does not want to believe they have been conned. They believe the *2.5 Million Dollars!* is still coming.

And scammers know this. So they mail thousands of sweepstake solicitations out across the United States. If even a small percentage of people respond, they make money because they work these victims until all the money is gone. And it doesn't even have to make sense. In one case handled by my office, the 91-year-old victim was desperate to "pay the taxes" on the beautiful 3-Series BMW she had won. But this victim didn't have a driver's license, hadn't driven in years, and had no use for a car of any kind.

Part of the difficulty in stopping crimes like this is that they are spread so wide that effective prosecution is difficult, and the risk of getting caught is low. It is not uncommon to have elderly victims spread across the country, from Florida to California. And it is expensive to bring these victims to Scott County to prosecute a case. And the cases do not end in Scott County, the money is then sent on to co-conspirators out of the country, in destinations like Jamaica and Costa Rica. We can stop the Scott County connection and prosecute the people here; but we do not have criminal jurisdiction in Jamaica and Costa Rica, and there is little we can do to stop these people from continuing to commit these crimes.

We work hard to protect all victims, but the elderly are often particularly vulnerable to economic crimes like this. One of the victim's in a case handled by my office was a 90-year-old WWII veteran on a fixed income. He was sweepstakes-scammed out of \$14,000. But by freezing the defendant's bank accounts, we were able to do something unusual – we recovered all of the money he had lost and sent it back to him. Then something even more unusual happened: he donated all of the money to help orphaned children. In a letter sent to my office, his son explained:

We discussed what to do with that money when we first heard it was possibly coming, and decided to do something special with it. As far as Albert was concerned, the money had been lost, and he expected it to never be seen again. So the check was "found" money. Albert decided to donate the entire check to the Albuquerque Christian Children's Home in Albuquerque, New Mexico. That happened at the end of February 2016. My dad has long been involved with that institution, and it's very special to him. They take care of orphaned children; as well as work with the State of New Mexico to house abused or abandoned children.

It's not often that cases work out this well, but we are happy this one did.

Of course, it's not only elderly people who are susceptible to being taken advantage of. Millions of dollars are still sent to Nigerian princes every year, and the amount of scam email we receive every day is simply staggering. But elderly people are often less capable to spot the scam, and less able to protect themselves from it. So we always work especially hard to communicate with elderly victims, and to help both the victim and their family deal with the fallout of a criminal act -- and recover from it.