

BOB KULP

STATE REPRESENTATIVE • 69TH ASSEMBLY DISTRICT

March 26, 2019

Assembly Committee on Criminal Justice and Public Safety

Testimony from Rep. Bob Kulp in favor of passage

Thank you Mr. Chairman, members of the committee, for having this hearing today on our bill AB 68/SB 66 which updates our current “cyberbullying” statutes.

The term “Catfishing” is a reference to online impersonation by an individual to commit fraud on a potential victim. The original statutes of 947.0125 were enacted in 1996 when internet use was starting to get underway. It seems like it was yesterday, but it has been 21 years already! Since that time, Facebook, Twitter and other social media sites have come into being. The world has really changed.

I began checking into this after an online actor attempted financial fraud against a friend of mine. The online actor was trying to get money by targeting vulnerable people. This is wrong!

To address this issue, this bill cleans up the language for our modern world and ensures law enforcement can combat this growing internet issue. Current law is intended for just email and assumes that a person is themselves on the internet. This bill corrects this in two ways. It adds types of conduct that are not currently prohibited and expands the law’s coverage beyond just email. Several lines were added in statute 947.0125 to this end which are “to conduct harm, to defraud and to obtain a benefit.” This prohibits pretending to be someone you are not online with social media to “frighten intimidate, harm, threaten, abuse, harass, defraud or obtain a benefit.”

While combating online crimes, this bill also takes into consideration every person’s first amendment rights. Parody and satire are protected under this bill.

Our office wrote this bill with the Wisconsin Department of Justice and with input from Facebook. Other states including Texas, Oklahoma, California and Pennsylvania have similar laws on their books.

This bill is about cleaning up the language. I am happy with the strong bi-partisan support and positive media coverage this bill has created. I encourage you Mr. Chairman and members of this committee to support passage of this common sense bill.

REPRESENTING WISCONSIN’S 69TH ASSEMBLY DISTRICT

3.22.2019

Committee on Criminal Justice & Public Safety
Rep. John Spiros, Committee Chair

Dear Representative Spiros,

My 91-year-old mom and I stand in strong support of AB68. Three years ago, she experienced a frightening phone call that continues to live in her memory to this day--despite her dementia.

It was early evening, when mom received a phone call from a male speaking in broken English, who claimed that he was in the hospital with her grandson who was hurt in a car accident. The caller spoke in an urgent tone and told mom her grandson couldn't talk because of his injuries. He told her she must go to Walmart's customer service and send \$1000 through Western Union immediately.

Instructions were repeated several times. "Take your checkbook. Go to customer service. Write a check for a Western Union Telegram." (He gave mom the name of a woman and a Mexico address.)

Mom lost \$1000--but that wasn't the worst of the event. She doesn't drive, she has dementia and she doesn't do well under stress. On the way home, she took a wrong turn and was driving on country roads on a cold fall night. She said she was in tears calling out in the car for someone to help her.

Fortunately, her plea was answered—she saw a parked police car and the officer lead her back home. We talked to the officer the next day and he said these calls are a big problem. In fact, a woman just a few blocks from Mom lost \$3000 about the same time, in the same kind of scam.

Whether by phone or social media, these criminal actions by dark forces in and outside our country are preying on the most vulnerable. Not only is there a loss of much needed money but potential loss of life. This call placed mom in a hyper-state that could have caused a heart attack or car accident.

It frightens me to think what would have happened had that kind officer not been in the right place at the right time. I urge you to pass AB68.

My mom (Jane Wherritt) and I thank you!

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