

Written Testimony of
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Submitted to the Special Committee on Aging
United States Senate Hearing on
the Jamaican Lottery Scam
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I would like to thank Chairman Nelson, Ranking member Collins and the Senate Special Committee on Aging for inviting me to speak at your Hearing on the Jamaican lottery scam. It is a privilege to be here.

Before I share my story I would like to recognize The US Postal Service Investigative Unit that has been involved with my mother's case since 2008. My special thanks go to Postal Inspector Doug Smith in Tampa, Florida, who has helped guide me through the many challenges I have had to deal with over the past 4 years. He has diligently followed up on all the information I sent him, such as the MoneyGrams and Western Union copies, timelines, anecdotal and anything else I had which I thought could help in dealing with the Jamaican Fraudsters. I would also like to recognize the Florida Court System, which continues to be instrumental in helping me manage Mother's affairs. My Lawyer, Robert Scheb, and my Co-Guardian Mark Chmielewski have greatly assisted me throughout this life-altering journey. I certainly could not have not have done this on my own.

My mother's story began on December 8th, 2008, when she was randomly called on the phone in Siesta Key, Florida. She was advised that she had won \$4.5 million in a Las Vegas lottery. Even though my mother had not been to Las Vegas in 20 years, she was very excited and told her friends. They immediately told her it was a scam and then, fortunately, reported this to the Property Manager at her apartment complex. The Office personnel showed her information on scams and told her to not get involved. The next day my mother sent \$300 via Western Union. Over the next 13 days my mother sent \$25,500 to 4 separate people in Jamaica, Indiana and Florida and \$19,500 to Colorado Springs. These amounts were sent via Western Union, Bank transfer, Money Gram and personal cheque. I was made aware of the situation because the Property Manager contacted me. He suggested I call the Bank of America where my mother was withdrawing the money. I tried to stop the \$3,000 money transfer to Indiana, but since the account was in my mother's name, the bank could not intervene. The bank personnel told my mother several times that this was a scam and told her not to send the money. My mother, however, insisted that they send the money.

I got the \$19,500 returned and deposited in my Guardianship account because an astute Lawyer, David Malgrave in Colorado Springs, intervened and tracked my mother down. After 5 phone calls and a letter, my mother finally talked to Mr. Malgrave. He explained how these scams worked and told her he wanted to return her money. He asked my mother for the name of her lawyer so he could send the money to him. I became suspicious when my mother said she was going to see her Lawyer. When I called him, he informed me that she had visited him to revoke the Power of Attorney that my father and

mother had initiated years earlier. He also told me about Mr. Malgrave's call. The \$19,500 was sent to the Sarasota Lawyer and then deposited to my Guardianship account.

From January 5 to 17, 2009, my mother sent \$10,850 to 5 people, 4 in Jamaica and 1 in Florida.

I continued to call my mother during this time, even though she was very combative with me. She rarely admitted talking to the fraudsters or sending any money away. She kept telling me that she knew what she was doing and did not want to talk about it. When I realized that my mother was continuing to send money regularly, regardless of who spoke to her, I decided I had to intervene, so I booked off from school, and flew down to Sarasota on January 31, 2009.

While I was with my mother I tried to discuss what she was doing but she ignored me and told me to return to Canada. One day she withdrew \$8,000 cash from the Bank of America and then drove over to Wachovia bank where she had another account. This came to my attention because the Property Manager was called by the Bank of America Bank Manager. She told the Property Manager that she was going to follow my mother because she was concerned about her safety. I went to the bank and surprised my mother in the Bank Manager's office. My mother had already deposited the \$8,000 and was trying to arrange a bank transfer to an unknown person. I was able to delay the transfer because I immediately called Mr. Scheb, a Guardianship Attorney, and set up an appointment for the next day. Based on my information of fraudulent activities, Mr. Scheb arranged for an emergency Court session to initiate an Emergency Guardianship. The \$8,000 was never sent.

I delayed my return to Canada so I could go to the emergency Sarasota Court hearing. I stayed with a friend as my mother could not wait for me to leave Sarasota. My mother thought I returned to Canada, but this did not happen for another 5 days. At the Court Hearing, I presented evidence of my mother's involvement in the Jamaican Scam. My mother was assigned a Lawyer by the Court, but she refused to see him, so she did not attend the hearing. I was granted a Temporary 30 days Guardianship. Because I am Canadian I had to hire a Professional Co-Guardian. Before I left Florida, the Co-Guardian and I were able to set up Guardianship accounts and organize the checking accounts. The final Legal Financial Guardianship was approved on March 13, 2009, 4 years ago today!

Taking out a Guardianship is a difficult thing for a daughter to do especially without their mother's consent. It also is a very expensive way to manage a loved one's financial affairs; however this was the only option I had. My mother had already revoked my Power of Attorney, which she had set up years before. I know that acquiring the Guardianship was the right thing to do, as there was no indication my mother was going to stop sending money to the Jamaican fraudsters. They are extremely convincing and "professional." One, calling himself John Kent, talked to my mother several times a day for about 3 years. My mother looked forward to his calls and felt a special bond with him. She often told him she looked forward to meeting him. He always flattered her and told her she was a very intelligent person. It had not taken him long to figure out what he needed to say to 'win' my mother over. I know these details because I occasionally overheard one way conversations. These ruthless people told my mother

to expect calls at 9 a.m. and 4 p.m. This meant my mother stayed home to receive the calls. The fraudsters isolate their victims this way; my mother would tell her friends she could not go out because she was waiting for an important call. The fraudsters also told my mother that it was because of the Guardianship that the money they promised, kept on being delayed. They told her so many lies over the years. Needless to say, my mother blames me for not receiving her millions. There have been many difficult conversations over the years.

It took me until April before I could get control of my mother's Canadian bank accounts, as they would not immediately recognize the US Guardianship. As a result of this, my mother was able to send money to the fraudsters. Before my mother returned to Canada she gave the fraudsters her Canadian telephone number. She was determined to get her millions. When they were late calling her, she would call them in Jamaica. One monthly bill totalled \$450. Over the years my mother was called by different groups of fraudsters. We know that people involved in fraudulent activities purchase lists containing the names and numbers of people who are on the "sucker" list. I understand that my mother was given a code that she would ask for when someone called. She then knew they were who they claimed to be or perhaps part of the same group.

My mother continued to be called regularly while in Canada. She sent money via Western Union and Money Gram. Based on these fraudulent activities in Canada, I contacted my local detective in charge of Elder Abuse. I met with him and gave him copies of all my files. I also put him in touch with Doug Smith, Postal Inspector, so they could collaborate. The Detective met my mother and tried to talk to her about the fraudulent activities she was involved in. My mother would not listen to him and was verbally abusive to both of us. The Detective told me there was nothing more he could do and I have not been contacted by him since 2009.

From *December 2008 to July 2012* I estimate my mother *tried* to give away \$92,000 but the estimated actual amount was approximately \$64,500.

I estimate that between *February 2009 and July 2012* my mother was able to send away approximately \$47,000, even though the Guardianship was in place. How and why did this happen?

The telephone companies in both Canada and the US do not make it easy to block calls or certain area codes, to and from certain countries. This was a major problem for me, to which there seemed to be no resolution. The only way I could stop calls from Jamaica was to block all international calls, including Canada. The Jamaican Scammers also convinced her to buy a cell phone, which I could not monitor. I did not change my mother's number because I knew she would give the Jamaican fraudsters her new number.

After the legal Guardianship was in place, my mother was still able to send money to Jamaica by overdrawing her US bank accounts. I consulted with the Bank of America Manager to try and stop these

transactions, but was unsuccessful. I eventually had to close the checking account and give my mother only a savings account. This could not be overdrawn.

Monies continued to be sent via MoneyGram or Western Union even though both of these companies were contacted several times by me and Doug Smith of the US Postal Service, who diligently used the information I sent him and continues to communicate with me. I am optimistic that some changes are being made to stop identified victims from using this means of sending money off-shore, even if they use a variation of their name.

My mother also withdrew money from her cancelled Visa card. Visa then sent her a new Visa card which I was not aware of at the time.

During the past 5 years I have dealt with Bank Personnel, Telephone companies, Lawyers, Property Managers and Law enforcement. Many have been prepared to help and give me advice. The problem is that the tools needed to make changes are not accessed easily. I always found it very difficult to make the necessary changes to stop my mother from sending away money. I have been the 'case manager' of my mother's financial affairs and have tried to tie the pieces together. Needless to say I have many boxes of files. I continue to try and protect my mother from the very persistent Jamaican scammers by talking to her daily and coaching her on what she needs do and say. I know that without my intervention, my mother would have given away most of her money and signed over her condo.

Finally, I would like to bring attention to the impact and stress that my mother's involvement with the Jamaican lottery scam has had on our family. This situation has impacted not only my mother and myself, but placed a tremendous burden on my family; not to mention the impact it has had on the relationship my mother has with her grandchildren. Unless you have ever had to deal with this type of situation, you can't imagine how hard it is to watch your loved one fall victim to the machinations of unknown individuals, who don't appear to have any remorse in taking advantage of society's most vulnerable people. For four years, I have watched my mother willingly give away some of her life savings, and be convinced to turn on those who love her most and want nothing more than to love and protect her.

I know that Governments in both Canada and the United States continue to raise awareness about Elder fraud issues and try to get the necessary people together. Governments can facilitate and support the development of tools and resources, plus strengthen penalties for those who commit fraud. I am pleased that after 4 years, this very serious issue is being addressed by people who can make some of the necessary changes. I am optimistic that new initiatives will help the many victims of Elder fraud. I do hope that my story has put a face on the issue and relayed the need for exchanging information and having access to useful resources that will assist families and victims who are dealing with Elder fraud.

Thank you for your interest in my mother's case.

Sonia Ellis