

Detering Obscene Phone Callers: Preliminary Results of the New Jersey Experience

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New telephone technology, first introduced in New Jersey, may offer a significant deterrent to obscene and other annoyance calls by permitting easier identification of the calling number. For areas where the technology has been made available, there was a decline in 1 year of at least 25% in the number of annoyance and obscene call cases dealt with by the New Jersey Bell Annoyance Call Bureau. For other areas of New Jersey, there was a much smaller decline of about 4%. However, it is unclear whether the technology has produced a reduction in the incidence of annoyance calls or merely changes in ways of dealing with these. Only a survey of customers in areas with and without the new technology could determine this question.

Keywords: New Jersey; obscene telephone calls; privacy legislation; situational prevention; telephone technology.

Introduction

Obscene phone calls are a particularly troublesome form of crime. They are common, can cause considerable distress to victims, and are hard to prevent or prosecute. Ten percent of women questioned in the British Crime Survey (Pease, 1985) and about 15% of households polled by New Jersey Bell reported that they had received at least one such call in the previous year (New Jersey Board of Public Utilities, 1989). Victims often report anger, shame, and disgust, feelings that may persist for weeks or months (Savitz, 1986). Some may change their telephone numbers or obtain an unlisted number, whereas those who think the caller knows where they live may keep their doors locked and not go out alone.

These consequences belie the common attitude, especially among men, that the offense is a comparatively trivial one. Indeed, Pease (personal communication) reports that a Gallup Poll conducted in 1989 for a British television program found marginally higher levels of worry, upset, and fear among victims of obscene phone calls than among victims of burglaries, robberies, and snatch thefts. Moreover, if obscene phone calls

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included a threatening component (which about a third did), they attracted seriousness ratings equivalent to those of a domestic burglary.

Because of the anonymity presently afforded to the caller by the phone, it is very difficult for the victim (almost always a woman) to protect herself from the isolated call, especially as she may initially assume that it is from someone she knows (Warner, 1988). For repeated calls, various steps can be taken such as blowing a whistle down the phone, installing an answering machine, having someone else answer, or changing one's number. The police or telephone companies can take effective action only in more persistent cases. For these, a device called a "trap" can be physically placed on the incoming line to record all calling numbers, which, together with the customer's log of obscene calls, may permit the originating phone to be identified. This is an expensive and cumbersome procedure. It also results in few convictions of offenders,¹ though a warning delivered by the police will often be enough to stop the problem.

The New Technology

As in so many other areas of modern life, developments in technology are now changing the picture. Essentially, these remove some of the anonymity afforded the caller by making it much easier to identify the calling number. Various systems are being developed, but in the New Jersey Bell area, the first to deploy the technology, two such systems are now available in districts where the central office exchanges have been technically equipped.² The first, "Caller-ID," is a device attached to the customer's telephone with a modular jack that displays the incoming call's number and keeps a record of these. The display unit costs at present about \$70, and residential customers are charged \$6.50 per month for the service. The second, "Call Trace," is a service through which customers can punch in (or dial) a simple code to have the number recorded of the last telephone call received. Unlike Caller-ID, this service requires no special equipment or payment of a monthly charge. Instead, there is a \$1 charge for each use of this service. A further difference between the two systems is that with Call Trace the number is not made available

¹For example, of 52,334 "abusive" phone calls (including 11,793 obscene calls) reported by customers to the Bell Telephone System in October 1967, only 78 resulted in court convictions (U.S. Congress, 1968).

²A third service, "Call Block," prevents receipt of calls from up to six designated numbers.

to the customer but only to "legally constituted authorities."

These situational preventive measures (Clarke, 1983) promise to undermine the opportunity structure for obscene phone calling since they greatly increase the attendant risks, even for isolated acts.³ This assumes that many such calls are opportunistic and are made from home or business phones.

Although little is known about the circumstances of obscene phone calling—most studies are based on very small samples of men under treatment for compulsive calling (e.g., Goldberg and Wise, 1985; Dalby, 1988), this seems a reasonable assumption as it is difficult to see how a public telephone would allow repeated dialing of victims or the drinking and masturbation that frequently seem to accompany the offense (Savitz, 1986).

The introduction of the new technology should therefore result in a marked decline in the number of obscene phone calls, and, indeed, this was reported for Hudson County, New Jersey, where Caller-ID was first offered on trial to about 200,000 customers at the end of 1987. Though less than 1% of the customers in Hudson County had subscribed to Caller-ID in the first 6 months of the service, traps set by the New Jersey Annoyance Call Bureau declined by a third compared with an equivalent period in the previous year. At the same time, demands for traps in the remainder of New Jersey increased by more than 50% (New Jersey Board of Public Utilities, 1988).

Unfortunately, the Hudson County results do not prove that Caller-ID is an effective deterrent to obscene calls. First, traps can be requested to deal not just with obscene calls, but also with a variety of other annoyance calls involving pranks, threats, and harassment; it is possible that the decline in traps may principally reflect a decline in these other kinds of annoyance calls rather than of obscene calls per se. Second, any initial deterrent effect of Caller-ID may dissipate as obscene callers discover that the risk of chancing on someone with the device is in reality rather small. A similar result was found following the introduction of the breathalyzer in Britain, where an initial sharp decline in drunken driving rapidly dissipated, presumably as offenders made more realistic assessments of their chances of detection (Ross, 1973). Third, the fact that demands for traps in other parts of New Jersey increased so greatly during the trial may be

³Offender's who know their victims may also know whether they possess Caller-ID. (Pease, personal communication, reports that about 25% of the British recipients of obscene calls identified in the poll referred to above thought they knew the identity of the offender.)

may be indicative of displacement of annoyance calls away from customers in the Hudson County area to those elsewhere. Fourth, there may have been little or no decline in obscene calls, but a change in the way that telephone company employees handled complainants; it is likely, for example, that victims may have been given the option of purchasing Caller-ID when they might previously have been advised to apply for traps.

It would be difficult to check the latter possibility without surveying customers in exchange areas with and without Caller-ID (see below). However, the fact that Caller-ID has now (i.e., November 1989) been more widely available in New Jersey for nearly a year permitted the present investigation of the possibilities that (i) Caller-ID may deter some kinds of annoyance calls more easily than others, (ii) its deterrent effect might be short-lived, and (iii) it might displace annoyance calls into adjacent exchange areas without Caller-ID. Two separate analyses were undertaken using records maintained by the New Jersey Bell Annoyance Call Bureau to consider the effect of the new technology on (a) the *volume* and (b) the *nature* of complaints about annoyance calls.

The Volume of Annoyance Calls

In considering the effect on the volume of annoyance calls, it was necessary to take account of the fact that wherever Caller-ID has been made available, so has Call Trace,⁴ which can be used by any customer without special equipment or payment of a monthly fee. This makes it impossible to distinguish the effects of the two separate systems. It also makes it necessary to examine not just the volume of traps (as was done for the Hudson County trial), but also the volume of "call trace cases," which the Annoyance Call Bureau can now establish instead of traps for customers in areas with the new technology.⁵

The Annoyance Call Bureau's monthly records of "traps" and "call trace cases" were compared for two sets of exchange areas: (i) 57 areas where Caller-ID

⁴This appears also to have been true for the Hudson County trial though the facility was not publicized at the time.

⁵A "call trace case" has to be initiated by the police on the basis of a complaint made by a telephone customer. Unless there is a threat to life, three to five successful traces usually have to be made by the complainant before the police will initiate a "case." Although call trace cases and traps are alternative methods now open to be used by the Annoyance Call Bureau for customers in areas with the new technology, it should be noted that there are important differences in the administrative and physical procedures involved. Caution is therefore needed in comparing statistical counts of traps and call trace cases.

and Call Trace were available to customers during June-September 1989, and (ii) the remaining 155 New Jersey Bell exchange areas without the new technology.⁶ The comparison was made for two periods of time: June to September 1989 and the same months for the previous year. A limitation of this comparison is that six of the 57 areas (i.e., the original six central office exchange areas of the Hudson County trial) were already equipped with the new technology in June to September 1988 and, presumably, had therefore already obtained whatever benefits were to be had. This somewhat contaminates the design; the practical consequence is that any decline observed in the second period in the number of traps and call trace cases established for the 57 areas by the Annoyance Call Bureau would underestimate the technology's true effect by about 10% (i.e., the six Hudson County trial areas constitute about 10% of the total).

The results (*Table 1*) indicate that the sharp decline (of the order of 70%) in the number of traps placed in Caller-ID/Call Trace areas was accompanied by a large increase in the number of call trace cases established, from an average of around 10 per month during the 3 months in 1988 to about 300 per month in the same 3 months in 1989. However, the *combined* count of traps and call trace cases for the 57 Caller-ID/Call Trace areas still shows that there was an overall decline of approximately 25% in action taken by the Annoyance Call Bureau. (As mentioned above, this decline would have been greater had it been possible to exclude the original six areas of the Hudson County trial from the group of 57.) For the remainder of New Jersey, there was also a decline, but a much smaller one of only about 4% in the number of traps and call trace cases established. That there was no *increase* for the remainder of New Jersey rules out the possibility of displacement of annoyance calls to areas without the new technology.

The Nature of Annoyance Calls

The second analysis, concerned with the *nature* of complaints about annoyance calls compared information about all traps placed in Caller-ID/Call Trace areas between March 1, 1989 and April 14, 1989, with a one-in-three sample of traps placed in the remaining areas of New Jersey. This yielded 352 cases for Caller-ID/Call Trace areas and 359 for the other areas of New Jersey.

Table 2 shows that there was no statistically significant difference between the Caller-ID/Call Trace areas

⁶The 57 areas with the new technology serve approximately 1.6 million customers, about half of all New Jersey Bell's subscribers.

Table 1. Count of Customers for Whom Traps and Call Trace Cases Were Established, New Jersey, June–September 1988/89*

	Non-Caller ID/Call Trace Exchanges (N = 155)		Caller ID/Call Trace Exchanges (N = 57)	
	Traps	Traps	Call Trace Cases	Traces + Traps
June 1988	701	689	4	693
July 1988	664	649	12	661
Sept 1988	732	665	11	676
Total	2097	2003	27	2030
June 1989	750	241	351	592
July 1989	693	203	298	501
Sept 1989	573	178	254	432
Total	2016	622	903	1525

*Because of a work stoppage, figures for August 1989 were incomplete.

and the remainder of New Jersey in the nature of requests for traps. This suggests that the technology has had no more effect on some kinds of annoyance calls than on others. The analysis also reveals that, for both areas combined, obscene calls constitute about 15% of the grounds for requesting traps, a smaller proportion than either harassing (20%) or threatening (26%) calls. The biggest single category were ring/hang-ups (34%).

Summary and Discussion

The present study has found that action taken by the Annoyance Call Bureau in response to complaints about annoyance calls (15% of which were obscene calls) has declined in 1 year by at least 25% for those areas in New Jersey with the new telephone technology. This suggests that the similar result achieved earlier in the Hudson County trial was not due simply to the novelty of the technology. Furthermore, the

fact that (unlike in the Hudson County trial) there was almost no change in the number of traps for other areas suggests that not only was the technology responsible for the decline, but also there was no displacement of annoyance calls to areas without the technology. Finally, it appears that the technology may have had an equal effect on all forms of annoyance calls.

These are encouraging results, though, unfortunately, they do not permit a judgment to be made concerning the comparative effectiveness of the two forms of the new technology, nor do they prove that the technology has led to a decline in annoyance calls. It may not be the volume of such calls that has been affected, but only the means of dealing with them. There are several ways in which the latter could result. For example, rather than establishing a trap, the telephone company employees could advise complainants to purchase Caller-ID or to use Call Trace. Alternatively, instead of reporting the call, a customer with Caller-ID could tell the caller that if he or she per-

Table 2. Nature of Calls for Which Traps Were Established, New Jersey, March and April 1989

	Non-Caller ID/Call Trace Exchanges	Caller ID/Call Trace Exchanges
Ring/Hang-ups	120	124
Threatening	87	100
Harassing	71	73
Obscene	68	40
Other/no Information	13	15
Total	359	352

$\chi^2 = 8.31$, N.S.

sisted with the behavior his or her number would be reported to the authorities, or customers could satisfy themselves by establishing a trace in the knowledge that, were the call to be repeated, they could make a complaint with more confidence that something would be done. In October 1989, customers activated Call Trace on 23,728 occasions.

It is unlikely that a choice could be made among the various possibilities discussed above without mounting a survey of subscribers in areas with and without the technology. This would seek to establish the incidence of obscene and other annoyance calls, as well as differences in the ways of dealing with them. Even if the only result of the new technology were found to be that customers dealt differently with annoyance calls, this may still be considered a considerable benefit, not just for the phone company, which is thereby saved the cost of dealing with such calls, but also for customers who have been "empowered" to take effective action themselves.

Whatever the benefits of the new technology, it is not without its critics (Marx, 1989). It is argued that Caller-ID significantly infringes on the privacy of those making telephone calls; that it may violate some state wiretap laws and federal privacy legislation; that it can reveal unlisted telephone numbers as well as the numbers of those, such as battered women in refuges, with legitimate needs to keep their whereabouts secret; and that it may inhibit use of hotlines and the anonymous passing of information. Further, it does inhibit small deceptions such as claiming to be at the office when in reality at a bar, though it facilitates some others such as ignoring an unwanted call on the pretext of being absent from home.

In response to some of these concerns, it has been suggested that Caller-ID be made available only with a facility that alerts the caller that his or her number is being displayed. Another possibility would be to provide Caller-ID only with a facility that enables callers to block display of their numbers. New Jersey Bell has claimed that the latter option would not only be expensive to provide (of the order of \$9 million to \$15 million), but would be detrimental to the community since it would undermine Caller-ID's ability to deter annoyance and obscene calls (New Jersey Board of Public Utilities, 1988). It would certainly detract from the benefits of Caller-ID for businesses such as pizza delivery outlets for whom immediate display of the calling number has great advantages. The blocking option is also resisted by the police, fire companies, and emergency service providers, although, for them, urgent calls are increasingly received via the new 911 system, which also displays the calling number. Many of these objections could be met

by providing the blocking option on a selective basis, and, indeed, the Pennsylvania Public Utility Commission ruled in November 1989 that Caller-ID be made available in the commonwealth with a per call blocking option for "at-risk" customers, such as those in women's refuges or in some law enforcement positions.

A more radical step would be to make only Call Trace available since numbers identified under this system are not directly accessible to the customer. This would still allow annoyance calls to be dealt with more effectively than by setting "traps," but without infringing the caller's rights to privacy. This is resisted by the telephone companies, not just because of the potential loss of revenues associated with Caller-ID, but also because both marketing studies and take-up of the new service shows that Caller-ID is much in demand (New Jersey Board of Public Utilities, 1988). In other words, the telephone companies believe that Caller-ID is what the public wants.

With so much at stake, the competing costs and benefits of Caller-ID, Call Trace, and other systems that reduce the anonymity of telephone callers need to be more clearly established. This will require a much greater investment in research by the telephone companies and the public bodies charged with their regulation. Such research should include carefully-designed comparative surveys of customers in areas with and without the new technology to identify differences in the experience of receiving and dealing with annoyance calls; without such surveys the deterrent value of the new technology may be difficult to prove.

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