

**STATEMENT OF
CHAIRMAN AJIT PAI**

Re: *Scott Rhodes a.k.a. Scott David Rhodes, Scott D. Rhodes, Scott Platek, Scott P. Platek, EB-TCD-18-00028178.*

In this Notice of Apparent Liability, we propose a forfeiture of \$12,910,000 against Scott Rhodes for his apparent widespread violations of the Truth in Caller ID Act. Those apparent violations started in Brooklyn, Iowa.

If you were to drive a stretch of U.S. Route 6 from Iowa City to Des Moines, you might miss the city of Brooklyn, Iowa (population: 1401). Brooklyn touts itself as the “Community of Flags” and the boyhood home of John Wayne.

Brooklyn was also the hometown of Mollie Tibbetts. Mollie was a rising sophomore at the University of Iowa who was murdered while out jogging one evening on July 18, 2018. Her body was recovered in a nearby corn field nearly a month after she had been declared missing. An illegal alien from Mexico was charged with her murder.

As if this tragedy were not enough, just two days after her funeral, Mollie’s family, friends, and the close-knit community of Brooklyn began to receive a barrage of spoofed robocalls. Preying on the tragedy, the calls contained inflammatory prerecorded messages and a woman’s voice apparently intended to impersonate Mollie Tibbetts saying “kill them all”—the “them” referring to illegal aliens from Mexico.

The man apparently behind these robocalls was Scott Rhodes. Between August 28 and August 30, 2018, he apparently made 837 of these robocalls to Iowa consumers. Rhodes apparently used spoofed caller IDs that matched the area code and central office code for Brooklyn to mislead consumers into thinking that they were receiving a local call. Sadly, that is exactly what Mollie’s father thought when he answered Rhodes’s robocall. Family members said that listening to the robocalls caused them to suffer emotional distress and caused Mollie’s stepmother to become physically ill.

Unfortunately, that’s not all. Our Enforcement Bureau staff has identified five other distinct illegal robocalling campaigns apparently attributable to Rhodes that are also part of today’s Notice of Apparent Liability.

For instance, between May 14 and May 18, 2018, Rhodes apparently made 1,496 spoofed robocalls to Californians in an apparent effort to unseat incumbent Senator Dianne Feinstein in the 2018 U.S. Senate primary. Among other things, the robocalls made disparaging comments about the senator’s Jewish heritage. Rhodes apparently used a phone number assigned not to him, but to someone with no connection at all with him.

And between September 21 and September 24, 2018, Rhodes apparently made 750 spoofed robocalls to Sandpoint, Idaho residents. He again apparently used a false caller ID to attack the local newspaper and claim that its publisher was “a cancer” and “a degenerate bartender,” urging listeners to “burn out the cancer.”

Between October 20 and October 23, 2018, Rhodes apparently made 766 spoofed robocalls to Floridians, targeting Florida gubernatorial candidate Andrew Gillum. Rhodes apparently used an inaccurate caller ID to relay messages falsely claiming to be from Mr. Gillum, using what the Enforcement Bureau characterized as “a caricature of a black dialect,” with jungle noises in the background.

Between November 2 and November 3, 2018, Rhodes apparently made 583 spoofed robocalls to Georgians, targeting Georgia gubernatorial candidate Stacey Abrams. Yet again with an apparently

unassigned number, Rhodes relayed a message mimicking Oprah Winfrey, who was in Georgia campaigning with Ms. Abrams around the time of the robocalls.

And between November 27 and December 4, 2018, Rhodes apparently made 2,023 spoofed robocalls to residents of Charlottesville, Virginia regarding the trial of James Field, who was charged with murdering Heather Heyer by driving an automobile into a crowd of protesters. Rhodes apparently used false caller IDs associated with the University of Virginia and another entity unrelated to Rhodes to convey a message alleging that the mayor and the police chief were at fault for Heyer's death, and urging listeners to "try them, convict them, punish them."

Considered together, between May 14, 2018, and December 2018, Rhodes apparently conducted six campaigns using unlawful spoofed robocalls. Each bore the same signature: the apparent use of a spoofed caller ID unconnected to Rhodes; the apparent use of caller IDs that matched the area codes of targeted communities; and the apparent use of falsified caller IDs with the intent to cause harm and to shield Rhodes from liability while earning publicity for his personal brand and his website "The Road to Power."

Today, we begin to hold Rhodes accountable for his apparent violations of the law. Our Notice of Apparent Liability will not undo the harm caused by these spoofed robocalls, particularly to the grieving family of Mollie Tibbetts and the community of Brooklyn. But it once again makes clear this Commission's determination to go after those who are unlawfully bombarding the American people with spoofed robocalls.

Speaking of determination, I want to thank Chairmen Thune and Pallone, Chairmen Wicker and Doyle, Ranking Members Walden and Latta, and Senator Markey and the President for enacting the Telephone Robocall Abuse Criminal Enforcement and Deterrence (TRACED) Act. The additional tools provided by the TRACED Act will help us continue our fight against illegal robocalls and to provide relief to the American people.

And to the team of teams, I want to thank Lisa Gelb, Rosemary Harold, Shannon Lipp, Daniel Stepanicich, Kristi Thompson, and Shana Yates of the Enforcement Bureau, and Valerie Hill, Richard Mallen, and Bill Richardson of the Office of General Counsel for their vigilance in once again bringing in another apparent illegal robocaller to justice.