

Beacon Hill Byline by Mary Rogeness

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Do Not Call (I mean it!)

Do you remember when your home telephone used to ring with telemarketing calls at all kinds of inconvenient hours? It was only two years ago that Massachusetts gave us a method of stopping those calls when the legislature enacted our Do Not Call registry. That law was followed by a national law that took effect this January, so it seems to me that we should all be on the road to phone freedom. What if it doesn't work?

The system has worked fairly well, but I am beginning to notice a few unsolicited calls coming in to my home phone. Some of you are calling me with the same complaint, so I have checked with both the state and national call registries to find out what recourse we have if our phone numbers are registered and telemarketers continue to call.

First, it is a good idea to confirm that your number is on the registry. You can do that for the national registry by calling 1-888-382-1222 or checking the website, www.donotcall.gov. In Massachusetts the phone number is 1-866-231-2255 and the website is www.mass.gov/donotcall. If you are not registered, I recommend the state list, for reasons I'll explain later.

Non-profit, polling and other political calls are exempt from the prohibitions of the registry, as are calls from businesses you have an existing relationship with. In my case that authorizes occasional phone calls from Omaha Steaks, and I don't mind hearing from Nebraska. A covered company violates the state or federal registry if its employees call you more than one time in 12 months.

The federal list is effective 31 days after you register, but the state registry, updated four times a year, may take as long as 90 days. If you continue to receive calls after that time, here is how to lodge a complaint.

You may be tempted to simply hang up the phone, but you should stay on the line with a caller in order to collect as much information as you can. Write down the date and time of the call, the telephone number on your caller ID if it's available, and the name of the company. Take down any further product information or facts about the telemarketing firm. Since the marketers need good will from their customers, your interest in filing a complaint should be enough to put a stop to the calls.

You can find complaint forms through the websites listed above or call my office for forms to send by mail. Those forms will outline the specific exemptions to the law so you can be assured that your complaint is covered.

When I first looked at the complaint forms, I found some important differences between the state and federal registries. A complaint of federal violation leads to its being listed on a database that other law enforcement agencies can access. Your complaint could help a general investigation, but the website announces that the Federal Trade Commission, which oversees the program, "does not resolve individual consumer problems".

Reading that line made me re-register my phone numbers with the state, which does respond to complaints. It also covers unsolicited faxes, unlike the federal program. You can file with the Attorney General, who may initiate proceedings against a violator. Or you may file an individual suit against the company.

The Do Not Call list seemed like an impossible dream a few years ago. Now it delivers peaceful evenings at home, undisturbed by telephone sales pitches. Filing complaints against those who abuse the registry can ensure continued quiet hours.