

Using Positive Behavioral Models to Help Older Consumers Avoid Victimization by Confidence Swindlers

A review of recent informational initiatives to help consumers avoid being defrauded revealed that the advice offered draws heavily on past fraud cases in which swindlers were successful in victimizing consumers. This paper draws upon behavioral theory to argue that such case studies are limited in usefulness and need to be supplemented by case studies of unsuccessful efforts by swindlers to defraud consumers.

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For years law enforcement practitioners have developed speaker programs, user guides and other informational initiatives to help consumers avoid economic exploitation by criminal elements. While these practitioner-launched undertakings are undoubtedly valuable to many consumers, it is the contention of this paper that they would be even more valuable if the advice they offered drew upon a larger and more diverse informational base.

In this paper an informational base commonly associated with consumer initiatives for avoiding victimization is described along with its limitations. Also described briefly is a paradigm shift to a new strategic approach for enlarging the informational base to provide more directly useful behavioral guidelines for helping consumers avoid victimization.

The Current Informational Base and Its Limitations

The informational initiatives noted above, like most consumer guides for avoiding victimization by criminals, are authored by practitioners with considerable professional experience dealing with criminal cases of consumer fraud. This experience typically takes the form of criminal investigations or prosecutions, at federal, state or local levels. The natural unit of description and analysis is often the individual police or agency report which describes in detail the particulars of an alleged act of fraud and its impact on the victim (e.g., financial losses incurred).

While such reports offer several advantages to the practitioner who hopes to help consumers avoid victimization (e.g., the reports provide a wealth of swindle particulars useful in informational and educational programs), the cases they consider are

unlikely to be representative of scams at large. Many crimes go unreported and this is especially true of confidence swindles.

A second weakness of case studies concerns their lack of information about critical incidents or stimuli which led to consumer victimization. It may be helpful to get an impression, albeit unrepresentative, of when and where swindles occurred, but this general information is unlikely to be sufficient to help consumers ward off a swindler's sophisticated approach. For it is not enough to provide a set of general background characteristics to be on guard against since this will surely lead to many "false positives" being identified by consumers, in that many individuals or circumstances which fit the swindle category also fit the non-swindle category.

What is especially needed to resolve such dilemmas is what behavioral theorists refer to as discriminative stimuli and responses, stimuli and responses whose presence is associated with a swindle situation and whose absence is associated with a non-swindle situation. In lay terms we should think of discriminative stimuli as danger signals and discriminative responses as escape mechanisms.

Unfortunately, analyses of case studies of swindles reveal few danger signals and escape mechanisms. This finding should come as no surprise since case studies typically found in police files have been placed there as a result of the failure of swindle victims to recognize and act upon discriminative stimuli.

Helping Elders Cope with Confidence Swindles: A Paradigm Shift

To secure the needed information on danger signals and escape mechanisms, it was decided that a paradigm shift to a new strategic approach was needed,

one which focused on the coping behaviors of consumers who have been successful in dealing with the attempts of confidence swindlers to defraud them. Since elders are often victimized by confidence swindles, it was also decided to focus on this population subgroup.

Endnote

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