



Selected articles from
VOL. 14 NO. 4 SPRING 2002

TBS "\$1,000 Challenge" Claimant Disappoints

by Gary P. Posner
(with Terry Smiljanich)

On October 10, 2001, TBS received a telephone message, recorded on our answering machine, from Scott C. Frank. Based in Homosassa, about 60 miles north of Tampa, Mr. Frank indicated that he had been referred to TBS by the [James Randi Educational Foundation](#), which he had contacted out of a desire to win its \$1,000,000 prize for proof of "psychic" ability.

Our first several attempts (beginning that evening) to return his call resulted in a "no longer in service" message from the telephone company. However, by the following week, the number was back in service, and we (Gary) had an opportunity to speak with Mr. Frank, whose specialty was doing personal "readings."

Though his high-strung demeanor made effective two-way conversation somewhat difficult, we did explain to him that "[cold readings](#)" can be performed equally convincingly by magicians and other non-psychics. For that reason, we suggested something more objectively testable, such as the ability to discern the contents of a sealed box. Mr. Frank indicated that he could successfully accomplish such a task, and agreed to attend the December 15 quarterly TBS meeting, at which time the test would be conducted.

Three days before the meeting, Mr. Frank called back to let us know that he would be traveling here by bus and cab, and that he might thus arrive a bit late. However, he made it in plenty of time, and we (Gary) showed him the proposed [official Challenge protocol](#). As he read it, at times he appeared to be conversing animatedly with an unseen presence, but he ultimately signed the contract without needing to amend even a word.

To make it as easy as possible for Frank to succeed, we set before him not one sealed box, but a

selection of four, from which he could choose the one that he felt most confident of. Additionally, because he said he could best determine the box's contents by reading the mind of someone who knew what was hidden inside, we offered him the choice of anyone in the room. That is, he could select someone whose vibrations and thoughts might not be as "negative" as those of a TBS Executive Council member.

However, he seemingly haphazardly selected one of the boxes, and asked me (Gary) if I knew what was inside. Since I did not (Terry had supplied the object for that particular box), Frank had me look (which I did in a secluded area). Then, in great haste, he read both of our minds, declared within a few seconds that there was a "beret" in the box, and told me to open it. Knowing that he was wrong, we tried to slow him down, but such proved fruitless. Within a few more seconds, he decided that the box contained a "harmonica" -- not a beret -- and again told me to open it.

I (Gary) attempted to ascertain from him his confidence level in "divining" the contents of the box. He continued to talk at a rapid pace and told us he wanted to make his "guess" and leave. I reminded him that he was not supposed to be "guessing." When we pressed him as to his confidence level between "1" (pure guess) and "10" (certain), he stated that he was at about a "3." Apparently, our thought waves were a bit murky that day.

After trying one last time to calm him, without success, Frank said that he was ready to "get out of here" and insisted that the box be opened. Inside was a yo-yo, and Mr. Frank briskly departed the premises.

Through the years, in addition to those who have attempted to win the [TBS "\\$1,000 Challenge"](#) during our TV appearances with Kathy Fountain, and the one test conducted via e-mail, we previously had had three people come forward (one of them twice) for testing by TBS in person. Although all previous claimants had failed in their efforts to demonstrate their "psychic" abilities, and had offered post-hoc rationalizations for their failures, this was the first time that we had been unable to "connect" at all with the person on a rational level.

Compounding our disappointment at the time was Mr. Frank's refusal -- despite signing the protocol that allowed for videotaping -- to permit TBS to record the event on tape, offering personal/religious reasons. Upon reflection, maybe it's just as well.

Miss Cleo Avoids K.O. (for now)

It remains to be seen if television infomercial queen "Miss Cleo" can avoid a knockout by Uncle Sam.



The Associated Press reported on February 15 that the Federal Trade Commission desires to shut down Access Resource Services, Inc., and Psychic Readers Network (PRN), the Fort Lauderdale companies owned by Steve Feder and Peter Stolz and fronted by Cleo. An FTC complaint, filed on Feb. 13 in the District Court for the Southern District of Florida, alleges false promises of free psychic readings, deceptive billing tactics, and unrelenting and abusive telemarketing

calls. Describing the companies as "permeated with fraud," it cited more than 2,000 consumer complaints, including telling callers -- falsely -- that they would not be charged while on hold.

A follow-up A.P. report on Feb. 22 announced a tentative settlement under which the companies promise an immediate end to their deceptive practices, thus avoiding having their assets frozen. This temporary agreement, being overseen by U.S. District Judge Alan Gold, will be in place until the court issues its final ruling.

The Feb. 15 article also mentioned, as reported more extensively in Fort Lauderdale's *South Florida Sun-Sentinel*, the *Tampa Tribune* (on page 1), and the *St. Petersburg Times*, that the Florida Attorney General's Office had just slapped a subpoena on "Cleo" (a.k.a. Youree Harris of Davie, Florida), challenging her to supply her birth certificate and other records proving that she really is a renowned shaman from Jamaica. "If she's from the Bronx instead," said Assistant Attorney General Dave Aronberg, "that would be a fraud." As for evidence of her genuineness, Assistant Attorney General Bob Buchner said, "They've pretty much admitted they don't have any."

Cleo/Harris reportedly tried to evade the subpoena by calling 911 when Jennifer Vaughn, an investigator for the Attorney General's Office, showed up at her door. But according to Vaughn, following a lecture from the sheriff's deputy who responded to the non-emergency, "She was pleasant once she finally came out."

Cleo/Harris' attorney, William J. Cone, Jr., of Fort Lauderdale, argues that his client is merely an independent contractor and is thus not subject to any legal complaints that the state may have against the "psychic" hotline. But "just because you're a spokesperson doesn't insulate you from liability if you begin to take an active role in the marketing that is deceptive," said Aronberg. "She's not just a person who is hired to say lines. She is a person who signs their deceptive e-mails . . . signs their deceptive letters . . . even signs some of their collection letters."

Aronberg quoted from a collection letter signed by Miss Cleo: "Taking responsibility for your actions is an important step in your spiritual journey." He then added, "I predict Miss Cleo's spiritual journey will lead her to the courthouse." The AG's Office is also taking steps to have the Cleo ads pulled, and is seeking refunds of up to \$10,000 for each defrauded customer.

Prior to these most recent events, on Oct. 16, 2001, a complaint was filed in District Court by Nancy Garen, author of *Tarot Made Easy*. Garen says that websites using Miss Cleo's name offered Tarot card readings in which portions of *Tarot Made Easy* were copied without her permission. Approximately 90% of the Tarot cards found on the Miss Cleo websites are alleged to have contained text copied from Garen's book. In addition, many former phone Tarot readers who worked on the Miss Cleo lines have allegedly told Garen that they were instructed to read directly from her book. Tampa's WTVT-TV 13 covered this story during its 10:00 p.m. newscast on February 1.

And, as reported by the A.P. and other wire services and published in the *St. Petersburg Times* on January 27, a judge in Pennsylvania has ordered the Cleo and Co. marketers to stop calling customers who have asked not to be contacted further. Cambria County Judge Gerard Long also ordered an end to their practice of pressuring people to pay for calls that they are contesting. The disputes concern advertised "free" readings for which customers were allegedly being billed \$4.99 per minute.

Snippets



The American Civil Liberties Union has represented some controversial characters in its day, but this one takes the cake. The ACLU is threatening to sue the mayor of Inglis, Florida (in Levy County) for her proclamation banning Satan from this town of 1,400. The ACLU's letter to Mayor Carolyn Risher warns of a federal lawsuit unless she removes the proclamation from four posts near the entrances to the town. Drafted on Halloween night by the mayor, while attending a cookout at the Yankeetown Church of God, the decree makes it

known from this day forward that Satan, ruler of darkness, giver of evil, destroyer of what is good and just, is not now, nor ever again will be, a part of this town of Inglis. Satan is hereby declared powerless, no longer ruling over, nor influencing, our citizens.

Satan's proxy is town resident Polly Bowser, a 36-year-old waitress and mother of three who was outraged by this alleged violation of the separation of church and state. To inoculate the town against the suit, the Town Commission has since declared the proclamation, which was printed on town stationery, to be the work of the mayor as an individual.

(A.P. via *St. Pete. Times*, Jan. 24
and *St. Pete. Times*, Jan. 29)

One day NASA says there's evidence of past life on Mars, and then there's not. Next comes evidence of liquid water flowing beneath the Martian surface -- maybe. Now, a more general declaration of sorts: The possibility of underground life on Mars, or on the Jovian moon Europa, seems enhanced as a result of a study of some hardy microbes in eastern Idaho's Lidy Hot Springs. Despite no exposure to sunlight, an ecosystem of bacteria-like microorganisms has been discovered that requires only carbon dioxide and hydrogen-rich water for survival. The study, published in the January 16 issue of *Nature*, detailed the life of Archaea, which may be the most direct descendants of the first living things on Earth.

(*Chicago Tribune* via *St. Pete. Times*, Jan. 18)

Polaroid dowser requests TBS "\$1,000 Challenge" retest

Bill Pierce, a septuagenarian Kentuckian who claims the ability to find hidden gold coins by dowsing Polaroid photographs, has requested a TBS "\$1,000 Challenge" retest. We hope to conduct it this spring and to report the results next time.

As described in our Summer 2000 issue, Pierce [failed his first "\\$1,000 Challenge."](#) He was 15 for 23, with the probability of doing at least that well by chance alone being approximately 1 in 10.

Since that time, TBS has made it ten times easier to win the "\$1,000 Challenge," by changing the probability of winning by chance alone from 1 in 10,000,000 to 1 in 1,000,000.

Of course, other types of tests, such as the one conducted with Scott Frank (see lead story), do not permit the calculation of mathematical probabilities.

Quote of the Year (so far)

From Leon Jaroff's [Jan. 16 Time.com "Skeptical Eye" column](#) (titled "Investigating the Power of Prayer") regarding the NIH's National Center for Complementary and Alternative Medicine:

The least we can demand in a time of growing budget deficits is that NCCAM appoint rational, qualified observers from outside the paranormal and quack communities to monitor the work of some of the eccentrics it so generously endows.

Letters / Readers' Forum

Editor: Please find attached a copy of my letter to you of January 16, 2001. This letter constitutes the definitive fulfillment of the litter reported as prophesy in that letter. Please also find enclosed an article from the October 16, 2001, *South Florida Sun-Sentinel*, "Escapee releases pair held hostage," which, in the context of the litter and an adjoining article, represents the fulfillment.

In the letter from last year, I speculated on "one or more escaped prisoners caught in a barn or bar," based as mentioned on litter seen in my neighborhood on Dec. 12, 2000. It was, as elucidated in that letter, based on a Parliament cigarette pack and a 7-Up (i.e., "Seven-up") can in the road equaling "Prisoner," and a Barnie's Coffee & Tea Co. cup in a field equaling "barn" or "bar."

The article states that the first two of the prison escapees "were captured Friday [Oct. 12] in a horse stable." That would make the date of capture, in a barn, precisely nine months after the observations of the litter. The number "9" attains significance because the article also mentions the "nine-hour standoff."

And the fact that the article appeared adjacent to one in which a source was the federal Storm Prediction Center could account for the reason for the prophesy.

--David Goldman
Miami

[He also enclosed a copy of his letter of Jan. 19, 2002, to the "Terrorism Unit" in Washington, D.C. (with "cc" to the Israeli embassy), warning of "an attack at or on the Dome of the Rock in Jerusalem, very possibly involving a light-haul truck." The basis: neighborhood litter including a Hautey Baladus Saladitas wrapper and a GE Softwhite Light Bulb box (for "light haul"), a McDonald's ketchup near a Home Depot shopping cart ("Dome"), a Rough Rider Condom pack ("Rock"), and a multitude of other refuse (including a red, square metal hoop) almost spelling "Jerusalem." —Editor]

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