

As Google Rolls Out New Privacy Commitments, Research Finds Company is Still Failing to Protect Privacy of Abortion Seekers

Data from seven states across the U.S. shows that Google still collects and retains Location History data for visits to abortion clinics despite the company promising in [July 2022](#) to “delete these entries from Location History soon after they visit...in the coming weeks”

Since the fall of *Roe v. Wade*, states across the U.S. have made abortion illegal within their borders. And as prosecutors move to investigate suspected violations of the law, they’ve found a new ally in Big Tech. In July 2022, Google promised to delete sensitive Location History data to protect people seeking abortion care in a post-Roe America. Since then, Accountable Tech has tested this policy several times as covered by [The Guardian](#), [NBC News](#), and [The Washington Post](#). This fall, we expanded our experiments to seven states across the country. The results show that Google is still failing to uphold their promise to U.S. abortion seekers.

This report is particularly important given that it comes on the heels of Google’s [announcement](#) in December 2023 that the company will soon store Location History on the device that captures the data, and no longer retain data for users in their existing Location History datastore. While this policy change would mark a significant step forward in ensuring users’ sensitive data cannot be turned over to abortion prosecutors, this report makes it clear that Google cannot be trusted to follow-through on its privacy promises. The company’s continued failure to meet its previously announced commitments – despite a near trillion-dollar valuation and over 150,000 employees – is astounding and dire in its implications in post-Roe America.

Google Data Threatens Abortion Seekers

As of November 2023, [21 states ban abortion or restrict](#) the procedure early in pregnancy. In many more states, the fight for abortion rights is still taking place in courtrooms. Some states now seen as abortion “safe-havens” – where abortion is accessible to those living in states that have restricted or banned illegal abortion – are now beginning to enact laws that protect sensitive location information that can be gathered from mobile phones. In other states, like Texas, [abortion opponents have succeeded](#) in passing local ordinances to prevent people from helping women travel to have abortions in nearby states that still allow the procedure.

More than [154 million people](#) use Google Maps every month to navigate the world in their daily lives. Google currently tracks, stores, and retains this data – making it a crucial source of information for law enforcement seeking to investigate potential crimes. Google’s location data practices are likely to have a huge impact on *all* states in a post-Roe America. According to [POLITICO](#), Google received 5,764 “geofence” warrants between 2018 and 2020 from police in 10 states that have banned abortion. Time and time again, privacy advocates have warned about not only Google’s [data collection practices](#), but also their extremely high rate of [compliance with](#)

[law enforcement authorities](#) – the company provides at least [some information](#) to police in about 80% of cases.

Google’s Broken Promises

Following the Supreme Court’s decision to overturn *Roe v. Wade*, Google announced a policy update in July 2022 to protect users from potential prosecution of aiding or receiving abortion care by automatically deleting Location History data from certain sensitive locations – including abortion providers. But they failed to uphold this commitment.

In a series of investigations over the last year, [Accountable Tech](#) and [Geoffrey Fowler](#) of the Washington Post found that Google continued to track and retain location data from abortion seekers well after the 2022 policy update – putting them at risk of prosecution in states banning or limiting access to abortions.

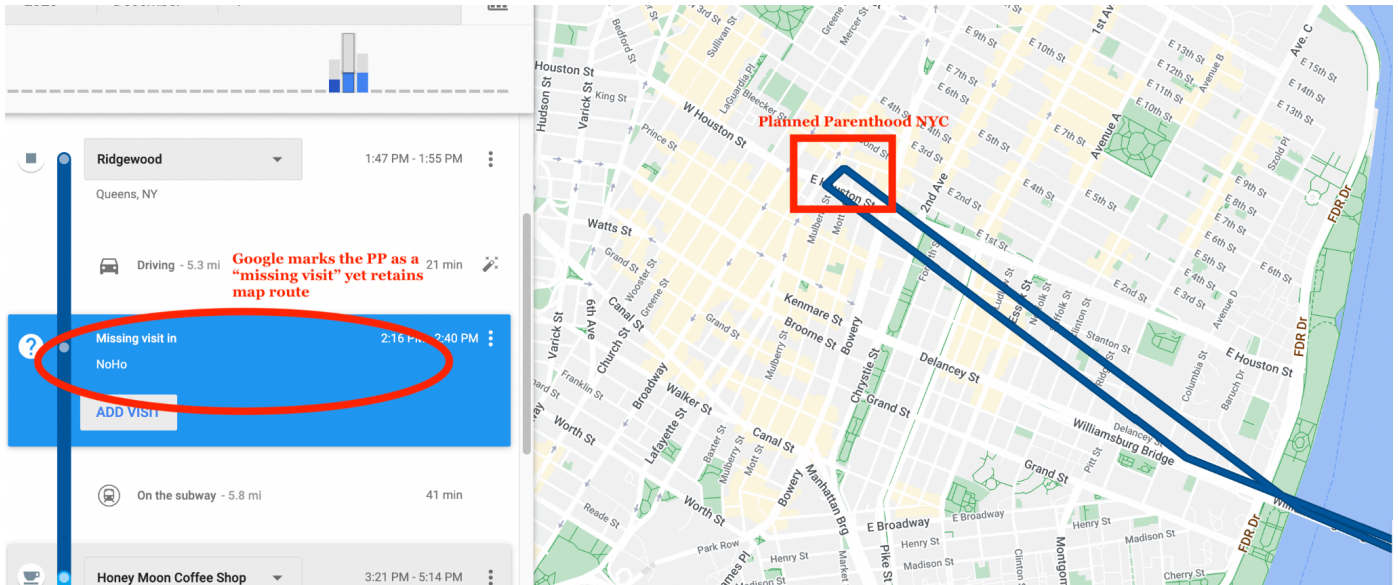
In the year since making (and breaking) its promise to abortion seekers, Google has: dodged questions from [journalists](#), [Google employees](#), [activists](#), and even [U.S. Senators](#) about its data collection and retention policies, raked in [\\$10 million dollars in revenue](#) from pointing abortion seekers to “crisis pregnancy centers” instead of abortion clinics, and complied with the [vast majority](#) of more than 50,000 requests for user data from law enforcement and other entities.

Current Research Methodology

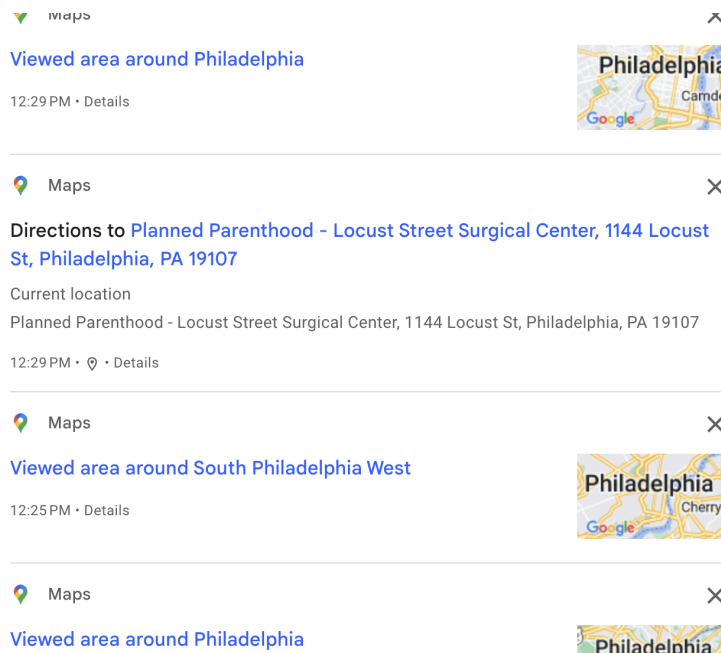
We decided to put Google to the test one year after we published our original research to see if they were living up to their policy commitments. Accountable Tech ran eight experiments in seven states across the country. We replicated our methodology from the [experiments we ran in 2022](#) – except this time, conducted experiments in more states to gather additional data and highlight any inconsistencies in Google’s data collection and retention. We worked with partners who live in these states, and asked them to share their findings with us. The states we ran the experiment in are: Pennsylvania, Texas, Nevada, Florida, New York, Georgia, and North Carolina. Some states, like Pennsylvania, were selected because the state has data privacy bills in the House and Senate right now: [HB 1201](#) “The Consumer Data Privacy Act” and [HB 708](#) “The Consumer Data Protection Act.” Others, like Florida, were selected because abortion protections have been rolled back since the fall of Roe and it *seems* like SB 262, or “Florida’s Digital Bill of Rights,” will protect data privacy for abortion seekers once it [goes into effect](#) in July of ‘24.

Results: 18 Months After Promise, Patchwork Implementation

In four out of the eight experiments we ran, where folks traveled to a Planned Parenthood clinic, the *name* of the Planned Parenthood was scrubbed from the Location History map, but the route itself was retained — **validating our initial research that Google still retains location transit data despite a band-aid fix to delete the simple entry on the Location History map.** For example, see the Location History map of an AT staff member who drove to a Planned Parenthood clinic in New York:



Just like in our findings from last year, Google continues to retain location search query data for *all* visits to Planned Parenthood clinics. This is a screenshot image from a user's *Web & App activity* timeline who traveled to a Planned Parenthood in Philadelphia:



[Explore the full data here.](#)

In the eight experiments we ran across the country, Google retained Location History data about 50% of the time, which is an improvement from our initial research covered by the [Washington Post](#). However, 50% is a failing grade in most schools and a stark failure for a near trillion-dollar company with more than 150,000 employees, especially considering its implications for those seeking or assisting with abortion care. With the same odds as a coin flip, an abortion seeker's location data might still be retained and used to prosecute them. On top of that, as we've seen through the experiments, Google still retains location search query data, and likely other incriminating data as well – from email to Google search data.

Conclusion

On December 12, 2023, Google [announced](#) that all Location History data will only be stored on a users' device, or if they choose to back it up to the Google Cloud, will be encrypted. While this is a step in the right direction, the company cannot be trusted to meet its public commitments on the timeline it promises. We cannot take the company at their word.

At a time when police have [increasingly become overly reliant](#) on Google location and search data, Location History is just one piece of the puzzle. This data can provide a very clear map for demonstrating someone's travel to and from an abortion clinic, but other web activity such as Google search is still retained by the company and can be at risk of subpoena.

Google's recent announcement of changes to Location History data and user control is a welcome step forward after more than a year of advocacy from Accountable Tech and our partners, but there is much more the company can and should be doing to protect the privacy of customers who may be seeking abortion care.