

June 28, 2023

To:

Jen Fitzpatrick, Senior Vice President, Google Core Systems
Prabhakar Raghavan, Senior Vice President, Search, Assistant, Geo, Ads,
Commerce and Payments products.
Christopher Phillips, VP & General Manager, Geo at Google

When the Supreme Court overturned *Roe v. Wade* in June of last year, it meant that deeply personal user data collected by Big Tech could be weaponized against people providing, assisting or seeking reproductive healthcare services. This includes location data required for apps that can help people – including trans people – obtain basic healthcare in addition to abortion services.

In July 2022, after more than 100,000 supporters joined the [call](#) for Google to stop unnecessarily collecting and retaining location data, Google [announced](#) a new policy to automatically delete data entries from Location History soon after users visit certain sensitive locations (counseling centers, domestic violence shelters, abortion clinics, etc.). That update, however, still [left many questions unanswered](#) – questions that you have yet to answer to this day, despite your May 12 Safety & Security [update](#).

We would welcome the opportunity to meet with you for you to provide answers to the following:

1. **How does Google decide what constitutes “sensitive data” worthy of redaction? Will you expand the types of facilities that are automatically deleted from location history to include gender affirming care facilities?** Alongside legislative attacks on reproductive health care, there have also been increasing threats to LGBTQIA+ communities, further increasing the need to protect a wide range of locations, including trans healthcare centers.
2. **Why won’t you include general purpose medical facilities?** You take care to point out that hospital visits may persist in location history. Many abortions and other critical procedures are performed in hospitals. Why exclude this data from your automatic deletion program?

3. **Do you retain backups of the data you claim to be deleting, and if so, do you push back against potentially unlawful warrants or subpoenas, and provide notice to users when you receive them?** Once Google claims to delete a users' data, the user loses access to that data. However, it is unclear whether or not Google still keeps backup records, and if law enforcement can subpoena backup data. Google states it will "continue to push back on overly broad" demands from law enforcement, but it must do more to protect data privacy. How will Google decide what is considered "overly broad" and will it include people's location data, search data, and more that could be used to prosecute an abortion case. Google has still not answered if they will cooperate with state or local government authorities requesting information on those seeking abortion care.
4. **Will you provide more granularity on the type of data requests you receive from law enforcement authorities?** Details matter.
5. **Are the systems that still get data locations even when Location History is off going to also respect the same dead zones?** Historically, [Google has misled users about its data collection policies](#) – even when users opt-out of location history, the tech giant *still* surveils users.
6. **Can you do more to mitigate the risk that a sudden gap in location data may be used as additional circumstantial evidence in court against those providing or seeking abortion care?**
7. **What steps will you take regarding other user data including search query data?** The volume of data in Google's hands means that creative prosecutors will find other incriminating items in people's online records that no one ever imagined might be seized in this context. To help address that, Google should immediately take steps to confine the data it collects to only what is necessary to provide the service the user requests, limit data retention, and share the data, if at all, only with trusted and vetted third parties.

Your May 12th [note](#) falls far short of answering the many questions that we have been asking for nearly a year. We're not the only ones asking questions – recently [10 senators](#) including Sen. Amy Klobuchar, Sen. Elizabeth Warren and Sen. Mazie Hirono – sent a letter to Sundar Pichai asking for clarity around



Google's policy update. As Accountable Tech's research – as well as an investigation by the Washington Post – has shown, Google failed to live up to the commitment to make changes to location history retention that it promised. As right-wing legislatures across the country continue to roll back our rights, Google has a responsibility to step up and protect the privacy of its customers.

We look forward to receiving your response to these questions and request a meeting to further discuss these concerns.

Sincerely,

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