

# Law Enforcement Authorities Handbook Analysis

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## About the CATSMI Project

The Canadian Access to Social Media Information (CATSMI) Project operates out of the University of Victoria. It is a distinctly Canadian research project, but we believe that our findings have a very wide relevance. The central hypothesis of this project is that the evolution of a more “social web” poses significant challenges to theories of informational privacy as well as to the national legal systems and regulatory policies that have been based on these theories.

The main objective of the Project is to determine how the expectations of social networking websites and environments, whose *raison d'être* is the facilitation of the sharing of personal information about and by users, can be reconciled with prevailing understandings about “reasonable expectations of privacy” and the existing regimes that are designed to protect personal data. Organizations have to make decisions about the granularity and range of privacy choices to offer users. Are there significant variances between organizations’ perspectives and policies on access to personal information by data subjects on the one hand, and those of government authorities on the other? Are data subjects meaningfully made aware of their own rights to access data, and the capabilities of authorities to access the same subjects’ data?

The Project has adopted a three-track process to understand the relationship between social networking services and government intelligence and policing services. **First**, we have analyzed the stated policies and publicly available lawful access documents that social networking services have prepared. These documents were accessed via public Internet repositories or, in one case, through private sources. They have revealed how personal information is made available by social networking services, and the conditions for providing it to government agencies.

**Second**, researchers investigated whether members of social networking services could access their own records and correct misleading or incorrect fields, and thus enforce their privacy rights under the Personal Information Protection and Electronic Documents Act (PIPEDA), and substantially similar provincial legislation. This approach allows us to ascertain the actual access that Canadians might have to the profiles that they, and networking services they are associated with, are developing. It also let us ascertain whether records provided to service members contain similar, more, or less information than the data fields that may be made available to law enforcement.

**Third**, Project members have evaluated how existing disclosure policies are, or would be, affected by forthcoming Canadian lawful access legislation. This final level of analysis will clarify whether Canadian authorities will have new powers in excess of social networking companies’ existing disclosure conditions.

The outcome of our analysis is a better understanding of how Canadians’ information is collected and made available to social network members and third-parties. By analyzing the practices of major social networking sites we have sought to make it clear to Canadians how their personal information might be accessed by authorities.



CATSMI’s research is funded through the Office of the Privacy Commissioner of Canada’s Contributions program. The use of these funds is independent of the Commissioner; as such, information in this document reflects work that emerges from independent academic research and does not necessarily reflect the Privacy Commissioner’s own position(s). Funding has also come from a Social Sciences and Human Research Council (SSHRC) grant: “Social Networking and Privacy Protection: The Conflicts, the Politics, the Technologies (2010-13).

## Overview of Law Enforcement Guide Handbook Analysis

Social networking companies such as Facebook, Twitter, Meetup, and Club Penguin use law enforcement handbook guides to explain to authorities how, and under what conditions, the companies will provide subscriber information to authorities. These guides were accessed via public Internet repositories or, in one case, through private sources. As part of the Canadian Access to Social Media Information (CATSMI) Project we analyzed these documents to compare how different companies were willing to disclose this information.

These handbooks are meant to clarify a company's disclosure practices for law enforcement and typically include information regarding data retention and preservation, the types of data that social networking services are willing to make available to law enforcement, as well as other procedural information that authorities must follow when requesting data from these companies. The tables below present information taken from the law enforcement guides of twelve different social networking companies ("LEA/Handbook Site") as juxtaposed against recently proposed lawful access legislation. Lawful access legislation was comprehensively tabled by the federal government in February 2012 as Bill C-30 "Protecting Children from Internet Predators Act." The legislation was subsequently withdrawn in February 2013 prior to advancing to Committee hearings.

Where a direct comparison between a practice outlined in a law enforcement handbook and the lawful access legislation was not possible, we noted those facts in a separate section titled 'Interesting Facts.'

It is important to recognize that, though this document is current as of March 22, 2013, many of the LEA guides predate this time. Consequently, it is entirely possible that corporate practices have changed, but also that these new practices have not been disclosed to the public. In the course of compiling the tables in this document we did not refer to Terms of Service or Privacy Policy documents; this decision was made so as to *purely* compare LEA guides against one another and thus reveal how authorities receive information about access and disclosure to subscribers' information.

### Cite As

Christopher Parsons and Adam Molnar. (2013). "Law Enforcement Authorities Handbook Analysis," *The CATSMI Project*. Published May 5, 2013. Available at: <http://catsmi.ca/resources/public-resources>.

## Date of LEA Handbook

Company	Date Handbook Published
Blizzard	January 9, 2009
Facebook (2010)	2010
Facebook (2013)	2013
Google	2010
Google	2013
Instagram	March 15, 2013
LinkedIn	May 3, 2012
MS/MSN Online	April 2005
MySpace	November 11, 2011
Photobucket*	2010
Twitter	March 15, 2013
Yahoo!	2008
Wordpress	March 15, 2013
Tumblr	2013
Foursquare	2013

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\* Note that while included in our analyses, Photobucket was not analyzed more broadly as part of the CATSMI project.

## Is There Contact Information for Authorities?

Company	Response
Blizzard	Yes
Facebook (2010)	Yes
Facebook (2012)	Yes
Google	Yes
Instagram	Yes
LinkedIn	Yes
MS/MSN Online	Yes
MySpace	Yes
Photobucket*	Yes
Twitter	Yes
Yahoo!	Yes
Wordpress	Yes
Tumblr	Yes
Foursquare	Yes

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\* Note that while included in our analyses, Photobucket was not analyzed more broadly as part of the CATSMI project.

## Types of Lawful Requests

Company	LEA Handbook/Site	C-30
Blizzard	<b>Preservation</b> (90 days, with possibility of 90 day extension) <b>Formal legal</b> requirements (US) <b>Emergency</b>	<b>Subscriber</b> data requests. <b>Preservation</b> is for 21 (domestic) or 90 (international) days. <b>Transmission</b> warrants. <b>Tracking</b> warrants.
Facebook (2010)	<b>Formal legal</b> requirements (US) <b>Emergency</b>	<b>Subscriber</b> data requests. <b>Preservation</b> is for 21 (domestic) or 90 (international) days. <b>Transmission</b> warrants. <b>Tracking</b> warrants.
Facebook (2012)	<b>Preservation</b> (90 days) <b>Formal legal</b> requirements (US) <b>Emergency</b> <b>MLAT or Letter rogatory</b>	<b>Subscriber</b> data requests. <b>Preservation</b> is for 21 (domestic) or 90 (international) days. <b>Transmission</b> warrants. <b>Tracking</b> warrants.
Google	---	<b>Subscriber</b> data requests. <b>Preservation</b> is for 21 (domestic) or 90 (international) days. <b>Transmission</b> warrants. <b>Tracking</b> warrants.
Instagram	<b>Preservation</b> (unclear duration) <b>Formal legal</b> requirements (US) <b>Emergency</b>	<b>Subscriber</b> data requests. <b>Preservation</b> is for 21 (domestic) or 90 (international) days. <b>Transmission</b> warrants. <b>Tracking</b> warrants.
LinkedIn	<b>Preservation</b> (90 days) <b>Formal legal</b> requests (US) <b>Emergency</b>	<b>Subscriber</b> data requests. <b>Preservation</b> is for 21 (domestic) or 90 (international) days. <b>Transmission</b> warrants.

		<b>Tracking</b> warrants.
MS/MSN Online	<b>Preservation</b> (90 days, with possibility of 2 addition 90 day extensions; total 270 days) <b>Formal legal</b> request (US) <b>Emergency</b>	<b>Subscriber</b> data requests. <b>Preservation</b> is for 21 (domestic) or 90 (international) days. <b>Transmission</b> warrants. <b>Tracking</b> warrants.
MySpace	<b>Preservation</b> (up to 180 days; only on active accounts - cannot preserve after deleted) <b>Formal legal</b> request (US) <b>Emergency</b>	<b>Subscriber</b> data requests. <b>Preservation</b> is for 21 (domestic) or 90 (international) days. <b>Transmission</b> warrants. <b>Tracking</b> warrants.
Photobucket*	<b>Preservation</b> (90 days, with extension renewals possible) <b>Formal legal</b> request (US) <b>Emergency</b>	<b>Subscriber</b> data requests. <b>Preservation</b> is for 21 (domestic) or 90 (international) days. <b>Transmission</b> warrants. <b>Tracking</b> warrants.
Twitter	<b>Preservation</b> (by applicable law) Formal legal request (US) <b>Emergency</b> <b>MLAT or Letter rogatory</b>	<b>Subscriber</b> data requests. <b>Preservation</b> is for 21 (domestic) or 90 (international) days. <b>Transmission</b> warrants. <b>Tracking</b> warrants.
Yahoo!	<b>Preservation</b> (90 days, with possibility of 90 extension) <b>Formal legal</b> request (US) <b>Emergency</b>	<b>Subscriber</b> data requests. <b>Preservation</b> is for 21 (domestic) or 90 (international) days. <b>Transmission</b> warrants. <b>Tracking</b> warrants.
Wordpress	<b>Preservation</b> (retention period not listed) <b>Formal legal</b> request (US only)	<b>Subscriber</b> data requests. <b>Preservation</b> is for 21 (domestic) or 90 (international) days. <b>Transmission</b> warrants. <b>Tracking</b> warrants.

\* Note that while included in our analyses, Photobucket was not analyzed more broadly as part of the CATSMI project.

<p>Tumblr</p>	<p><b>Preservation</b> (90 days) <b>Emergency</b> <b>Formal Legal Request</b> (US Only)</p>	<p><b>Subscriber</b> data requests. <b>Preservation</b> is for 21 (domestic) or 90 (international) days. <b>Transmission</b> warrants. <b>Tracking</b> warrants.</p>
<p>Foursquare</p>	<p><b>Preservation</b> (90 days) <b>Emergency</b> <b>Formal Legal Request</b> (US Only) <b>Foreign Legal Request</b> (MLAT or Letter Rogatory)</p>	<p><b>Subscriber</b> data requests. <b>Preservation</b> is for 21 (domestic) or 90 (international) days. <b>Transmission</b> warrants. <b>Tracking</b> warrants.</p>

## How Do Companies Confirm Authorities' Requests Are Genuine?

Company	LEA Handbook/Site	C-30
Blizzard	Letterhead, signature and typed name, email and phone contact.	<b>Subscriber:</b> written or oral in exigent circumstances <b>Preservation:</b> demand (written) from officer or order (written) from justice or judge <b>Transmission:</b> warrant <b>Tracking:</b> warrant
Facebook (2010)	Requesting Agency's Name and mailing address; Requesting Agent's name, mailing address, badge/i.d. number, work authorized email address, phone number.	<b>Subscriber:</b> written or oral in exigent circumstances <b>Preservation:</b> demand (written) from officer or order (written) from justice or judge <b>Transmission:</b> warrant <b>Tracking:</b> warrant
Facebook (2012)	Name of issuing authority, badge ID #, email address from LEA domain, direct phone contact.	<b>Subscriber:</b> written or oral in exigent circumstances <b>Preservation:</b> demand (written) from officer or order (written) from justice or judge <b>Transmission:</b> warrant <b>Tracking:</b> warrant
Google	Order or warrant from judge/magistrate in your jurisdiction + other valid legal process. MLAT or letter rogatory.	<b>Subscriber:</b> written or oral in exigent circumstances <b>Preservation:</b> demand (written) from officer or order (written) from justice or judge <b>Transmission:</b> warrant

Company	LEA Handbook/Site	C-30
		<b>Tracking:</b> warrant
Instagram	Name of issuing authority, badge/ID# of agent, email address from LEA domain. direct phone/contact info.	<p><b>Subscriber:</b> written or oral in exigent circumstances</p> <p><b>Preservation:</b> demand (written) from officer or order (written) from justice or judge</p> <p><b>Transmission:</b> warrant</p> <p><b>Tracking:</b> warrant</p>
LinkedIn	Requesting agency name, requesting agent name + badge/ID#, requesting agent employer-issued email, requesting agent phone # + extension, requesting agent mailing address. requested response date.	<p><b>Subscriber:</b> written or oral in exigent circumstances</p> <p><b>Preservation:</b> demand (written) from officer or order (written) from justice or judge</p> <p><b>Transmission:</b> warrant</p> <p><b>Tracking:</b> warrant</p>
MS/MSN Online	---	<p><b>Subscriber:</b> written or oral in exigent circumstances</p> <p><b>Preservation:</b> demand (written) from officer or order (written) from justice or judge</p> <p><b>Transmission:</b> warrant</p> <p><b>Tracking:</b> warrant</p>
MySpace	Contact by phone and email, signed and printed name, accompanying legal document.	<p><b>Subscriber:</b> written or oral in exigent circumstances</p> <p><b>Preservation:</b> demand (written) from officer or order (written) from justice or judge</p> <p><b>Transmission:</b> warrant</p> <p><b>Tracking:</b> warrant</p>

Company	LEA Handbook/Site	C-30
Photobucket*	Return address to receive CD, email for confirmation of request.	<p><b>Subscriber:</b> written or oral in exigent circumstances</p> <p><b>Preservation:</b> demand (written) from officer or order (written) from justice or judge</p> <p><b>Transmission:</b> warrant</p> <p><b>Tracking:</b> warrant</p>
Twitter	Details of specific information and relationship of user to investigation, valid response email.	<p><b>Subscriber:</b> written or oral in exigent circumstances</p> <p><b>Preservation:</b> demand (written) from officer or order (written) from justice or judge</p> <p><b>Transmission:</b> warrant</p> <p><b>Tracking:</b> warrant</p>
Yahoo!	Signed and printed name, title and agency of officer.	<p><b>Subscriber:</b> written or oral in exigent circumstances</p> <p><b>Preservation:</b> demand (written) from officer or order (written) from justice or judge</p> <p><b>Transmission:</b> warrant</p> <p><b>Tracking:</b> warrant</p>
Wordpress	Official signed court order or Subpoena that complies with relevant Federal or California State law.	<p><b>Subscriber:</b> written or oral in exigent circumstances</p> <p><b>Preservation:</b> demand (written) from officer or order (written) from justice or judge</p> <p><b>Transmission:</b> warrant</p> <p><b>Tracking:</b> warrant</p>

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Company	LEA Handbook/Site	C-30
Tumblr	Valid law enforcement email address, Tumblr will not respond to non-law enforcement email addresses.	<p><b>Subscriber:</b> written or oral in exigent circumstances</p> <p><b>Preservation:</b> demand (written) from officer or order (written) from justice or judge</p> <p><b>Transmission:</b> warrant</p> <p><b>Tracking:</b> warrant</p>
Foursquare	Requesting agency name, badge/identification number, employer issued e-mail address, direct phone contact, and/or formal legal documents.	<p><b>Subscriber:</b> written or oral in exigent circumstances</p> <p><b>Preservation:</b> demand (written) from officer or order (written) from justice or judge</p> <p><b>Transmission:</b> warrant</p> <p><b>Tracking:</b> warrant</p>

## What to Include to Get Information?

Company	LEA Handbook/Site	C-30
Blizzard	At least one of: (1) valid account name, (2) character name + server on which character was created, (3) full name + address of person who created account. (note: sometimes enough: IP address, phone #, email, credit card info.	<p><b>Subscriber:</b> ‘Prescribed Identifying Information’</p> <p><b>Preservation:</b> a demand or order would have to specify a particular telecommunication or person</p> <p><b>Transmissions:</b> warrant will define, to an extent, the specificity of the transmissions data or individual whose transmission data is being sought</p> <p><b>Tracking:</b> warrant will define, to an extent, the specificity of the tracking data or individual whose tracking data is being sought</p>
Facebook (2010)	ID number in url of profile or groups; email may serve as effective identifier; other information that helps: profile name, d.o.b., email, period of activity for investigation; facts of investigation for expediency and assistance w/ relevant info; specification of type of log sought after.	<p><b>Subscriber:</b> ‘Prescribed Identifying Information’</p> <p><b>Preservation:</b> a demand or order would have to specify a particular telecommunication or person</p> <p><b>Transmissions:</b> warrant will define, to an extent, the specificity of the transmissions data or individual whose transmission data is being sought</p> <p><b>Tracking:</b> warrant will define, to an extent, the specificity of the tracking data or individual whose tracking data is being sought</p>
Facebook	Email address <b>and</b> user ID.	<b>Subscriber:</b> ‘Prescribed

Company	LEA Handbook/Site	C-30
(2012)		<p>Identifying Information’  <b>Preservation:</b> a demand or order would have to specify a particular telecommunication or person  <b>Transmissions:</b> warrant will define, to an extent, the specificity of the transmissions data or individual whose transmission data is being sought  <b>Tracking:</b> warrant will define, to an extent, the specificity of the tracking data or individual whose tracking data is being sought</p>
Google	--	<p><b>Subscriber:</b> ‘Prescribed Identifying Information’  <b>Preservation:</b> a demand or order would have to specify a particular telecommunication or person  <b>Transmissions:</b> warrant will define, to an extent, the specificity of the transmissions data or individual whose transmission data is being sought  <b>Tracking:</b> warrant will define, to an extent, the specificity of the tracking data or individual whose tracking data is being sought</p>
Instagram	Username of account and specific info required to investigation.	<p><b>Subscriber:</b> ‘Prescribed Identifying Information’  <b>Preservation:</b> a demand or order would have to specify a particular telecommunication or person</p>

Company	LEA Handbook/Site	C-30
		<p><b>Transmissions:</b> warrant will define, to an extent, the specificity of the transmissions data or individual whose transmission data is being sought</p> <p><b>Tracking:</b> warrant will define, to an extent, the specificity of the tracking data or individual whose tracking data is being sought</p>
LinkedIn	Name and email address LinkedIn public profile URL.	<p><b>Subscriber:</b> ‘Prescribed Identifying Information’</p> <p><b>Preservation:</b> a demand or order would have to specify a particular telecommunication or person</p> <p><b>Transmissions:</b> warrant will define, to an extent, the specificity of the transmissions data or individual whose transmission data is being sought</p> <p><b>Tracking:</b> warrant will define, to an extent, the specificity of the tracking data or individual whose tracking data is being sought</p>
MS/MSN Online	---	<p><b>Subscriber:</b> ‘Prescribed Identifying Information’</p> <p><b>Preservation:</b> a demand or order would have to specify a particular telecommunication or person</p> <p><b>Transmissions:</b> warrant will define, to an extent, the specificity of the transmissions data or individual whose</p>

Company	LEA Handbook/Site	C-30
		<p>transmission data is being sought</p> <p><b>Tracking:</b> warrant will define, to an extent, the specificity of the tracking data or individual whose tracking data is being sought</p>
MySpace	<p>Profile URL or User ID CANNOT just provide email address, name, or nickname of person of interest.</p>	<p><b>Subscriber:</b> ‘Prescribed Identifying Information’</p> <p><b>Preservation:</b> a demand or order would have to specify a particular telecommunication or person</p> <p><b>Transmissions:</b> warrant will define, to an extent, the specificity of the transmissions data or individual whose transmission data is being sought</p> <p><b>Tracking:</b> warrant will define, to an extent, the specificity of the tracking data or individual whose tracking data is being sought</p>
Photobucket*	<p>Username and types of information requested.</p>	<p><b>Subscriber:</b> ‘Prescribed Identifying Information’</p> <p><b>Preservation:</b> a demand or order would have to specify a particular telecommunication or person</p> <p><b>Transmissions:</b> warrant will define, to an extent, the specificity of the transmissions data or individual whose transmission data is being sought</p>

\* Note that while included in our analyses, Photobucket was not analyzed more broadly as part of the CATSMI project.

Company	LEA Handbook/Site	C-30
		<p><b>Tracking:</b> warrant will define, to an extent, the specificity of the tracking data or individual whose tracking data is being sought</p>
Twitter	Username and URL of profile as well as details on specific information sought and relationship to investigation.	<p><b>Subscriber:</b> ‘Prescribed Identifying Information’  <b>Preservation:</b> a demand or order would have to specify a particular telecommunication or person  <b>Transmissions:</b> warrant will define, to an extent, the specificity of the transmissions data or individual whose transmission data is being sought  <b>Tracking:</b> warrant will define, to an extent, the specificity of the tracking data or individual whose tracking data is being sought</p>
Yahoo!	Yahoo! ID/Email (only proper names/IP addresses can lead to inaccurate disclosure or no responsive records), name of Yahoo! Group.	<p><b>Subscriber:</b> ‘Prescribed Identifying Information’  <b>Preservation:</b> a demand or order would have to specify a particular telecommunication or person  <b>Transmissions:</b> warrant will define, to an extent, the specificity of the transmissions data or individual whose transmission data is being sought  <b>Tracking:</b> warrant will define, to an extent, the specificity of the tracking data or individual whose tracking data is being sought</p>

Company	LEA Handbook/Site	C-30
Wordpress	The URL of the blog in question; if post or comment information is requested, specific URLs and relationship to claim must be provided. A valid law enforcement email address to return information.	<p><b>Subscriber:</b> ‘Prescribed Identifying Information’</p> <p><b>Preservation:</b> a demand or order would have to specify a particular telecommunication or person</p> <p><b>Transmissions:</b> warrant will define, to an extent, the specificity of the transmissions data or individual whose transmission data is being sought</p> <p><b>Tracking:</b> warrant will define, to an extent, the specificity of the tracking data or individual whose tracking data is being sought</p>
Tumblr	User email address or URL. In addition to valid law enforcement email address with request.	<p><b>Subscriber:</b> ‘Prescribed Identifying Information’</p> <p><b>Preservation:</b> a demand or order would have to specify a particular telecommunication or person</p> <p><b>Transmissions:</b> warrant will define, to an extent, the specificity of the transmissions data or individual whose transmission data is being sought</p> <p><b>Tracking:</b> warrant will define, to an extent, the specificity of the tracking data or individual whose tracking data is being sought</p>

Company	LEA Handbook/Site	C-30
Foursquare	User email address (if available), user profile URL with username or user id, in addition to requesting agency name, requesting agent name and badge/identification number, requesting agent employer issued e-mail address, requesting agent direct phone contact, and deadline to respond.	<p><b>Subscriber:</b> ‘Prescribed Identifying Information’</p> <p><b>Preservation:</b> a demand or order would have to specify a particular telecommunication or person</p> <p><b>Transmissions:</b> warrant will define, to an extent, the specificity of the transmissions data or individual whose transmission data is being sought</p> <p><b>Tracking:</b> warrant will define, to an extent, the specificity of the tracking data or individual whose tracking data is being sought</p>

## What Information is Disclosed by Companies?

Company	LEA Handbook/Site	C-30
Blizzard	<p><b>Basic Subscriber Information:</b> first and last name, address, connection records (including session times and durations), length of service (including start date), types of service utilized, IP address, account name, character names, means of payment + credit card / bank #</p> <p><b>IP address logs</b> (assigned when user logs on, IP address, date + time of log in/out, ‘historic’ records</p> <p><b>Mail - kept for more than 180 days</b></p> <p><b>Other</b> - list of friends, guilds belonged to, “other info”</p>	<p><b>Subscriber:</b> name, address, telephone number, email address, IP address(es), SPIN</p> <p><b>Preservation:</b> computer or business-related data that is in a TSP’s control or preservation. The demands can be linked to transmission data, tracking data, financial data, or information about the specific communications in question</p> <p><b>Transmissions:</b> data related to telecommunications functions of dialing, routing, addressing, or signaling; data that is transmitted to establish or maintain connection to a telecommunications service for the purposes of communication; data that is generated during the creation, transmission, or reception of a communication and identifies or purports to identify: type, direction, time, data, duration, size, origin, destination, or termination point of communication</p> <p><b>Tracking:</b> data that relates to the location of a transaction, individual, or thing</p>
Facebook (2010)	<p><b>BSI</b> - user id number, email address, date+time stamp of account creation, most recent logins (last 2-3 days of logs prior to processing request), registered mobile number, status of whether user profile is publicly indexed by search engines</p> <p><b>Transactional Data (IP Logs)</b> --</p>	<p><b>Subscriber:</b> name, address, telephone number, email address, IP address(es), SPIN</p> <p><b>Preservation:</b> computer or business-related data that is in a TSP’s control or preservation. The demands can be linked to transmission data, tracking data,</p>

Company	LEA Handbook/Site	C-30
	<p>(legal caveat that they are “technically limited” in providing “everything within a specific date range” + “unable to testify to the completeness of the data) IP logs contain viewtime, userid, source IP address</p>	<p>financial data, or information about the specific communications in question <b>Transmissions:</b> data related to telecommunications functions of dialling, routing, addressing, or signalling; data that is transmitted to establish or maintain connection to a telecommunications service for the purposes of communication; data that is generated during the creation, transmission, or reception of a communication and identifies or purports to identify: type, direction, time, data, duration, size, origin, destination, or termination point of communication <b>Tracking:</b> data that relates to the location of a transaction, individual, or thing</p>
<p>Facebook (2012)</p>	<p><b>BSI (Subpoena)</b> - name, length of service, CC info, email address(s), recent log in/out info <b>Transaction Data 2703(d)</b> - info pertaining to account, basic subscriber records, msg headers + IP address, “other info” that isn’t content <b>Transaction Data (Warrant)</b> - stored content, messages, photos, videos, wall posts, location info</p>	<p><b>Subscriber:</b> name, address, telephone number, email address, IP address(es), SPIN <b>Preservation:</b> computer or business-related data that is in a TSP’s control or preservation. The demands can be linked to transmission data, tracking data, financial data, or information about the specific communications in question <b>Transmissions:</b> data related to telecommunications functions of dialling, routing, addressing, or signalling; data that is transmitted to establish or maintain connection to a telecommunications service for the purposes of communication; data that is generated during the</p>

Company	LEA Handbook/Site	C-30
		<p>creation, transmission, or reception of a communication and identifies or purports to identify: type, direction, time, data, duration, size, origin, destination, or termination point of communication</p> <p><b>Tracking:</b> data that relates to the location of a transaction, individual, or thing</p>
Google	<p><b>BSI</b> - first and last name, birthday, gender, phone #, current email, location (if provided), content</p>	<p><b>Subscriber:</b> name, address, telephone number, email address, IP address(es), SPIN</p> <p><b>Preservation:</b> computer or business-related data that is in a TSP's control or preservation. The demands can be linked to transmission data, tracking data, financial data, or information about the specific communications in question</p> <p><b>Transmissions:</b> data related to telecommunications functions of dialling, routing, addressing, or signalling; data that is transmitted to establish or maintain connection to a telecommunications service for the purposes of communication; data that is generated during the creation, transmission, or reception of a communication and identifies or purports to identify: type, direction, time, data, duration, size, origin, destination, or termination point of communication</p> <p><b>Tracking:</b> data that relates to the location of a transaction, individual, or thing</p>
Instagram	<p><b>BSI (Subpoena)</b> - subscriber name,</p>	<p><b>Subscriber:</b> name, address,</p>

Company	LEA Handbook/Site	C-30
	<p>phone #, account creation note, email address, sign-up IP address  <b>2703(d)</b> - subpoena info, photographs, captions, “other electronic communication information”  <b>Search Warrant (or equivalent from state (U.S?) Government)</b> - stored contents of any account, messages, photos, comments, location info</p>	<p>telephone number, email address, IP address(es), SPIN  <b>Preservation:</b> computer or business-related data that is in a TSP’s control or preservation. The demands can be linked to transmission data, tracking data, financial data, or information about the specific communications in question  <b>Transmissions:</b> data related to telecommunications functions of dialling, routing, addressing, or signalling; data that is transmitted to establish or maintain connection to a telecommunications service for the purposes of communication; data that is generated during the creation, transmission, or reception of a communication and identifies or purports to identify: type, direction, time, data, duration, size, origin, destination, or termination point of communication  <b>Tracking:</b> data that relates to the location of a transaction, individual, or thing</p>
<p>LinkedIn</p>	<p><b>BSI</b> - email address, member ID number, date/time stamp of account creation, last login, billing info  <b>Member Profile Page</b> - profile summary, experience, education, recommendations, groups, network update stream, user profile photo  <b>IP Logs</b> - capture number ID, source IP address, date account created, visits on date  <b>Data not available post-deletion</b></p>	<p><b>Subscriber:</b> name, address, telephone number, email address, IP address(es), SPIN  <b>Preservation:</b> computer or business-related data that is in a TSP’s control or preservation. The demands can be linked to transmission data, tracking data, financial data, or information about the specific communications in question  <b>Transmissions:</b> data related to telecommunications functions of</p>

Company	LEA Handbook/Site	C-30
		<p>dialling, routing, addressing, or signalling; data that is transmitted to establish or maintain connection to a telecommunications service for the purposes of communication; data that is generated during the creation, transmission, or reception of a communication and identifies or purports to identity: type, direction, time, data, duration, size, origin, destination, or termination point of communication</p> <p><b>Tracking:</b> data that relates to the location of a transaction, individual, or thing</p>
<p>MS/MSN Online</p>	<p><b>Basic Subscriber Information:</b> name, address, length of service, screen name(s), other email accounts, IP addresses, IP logs, usage logs, billing information, email content older than 180 days (so long as government organization follows customer notification procedures in ECPA)</p> <p><b>Rest of Customer Profile:</b> address book, buddy lists, rest of profile not covered under <b>BSI</b>, internet usage logs (WEBTV), email header information (to/from) excluding subject line, email content older than 180 days (so long as government organization follows customer notification procedures in ECPA)</p> <p><b>Email Content Under 180 Days</b></p>	<p><b>Subscriber:</b> name, address, telephone number, email address, IP address(es), SPIN</p> <p><b>Preservation:</b> computer or business-related data that is in a TSP's control or preservation. The demands can be linked to transmission data, tracking data, financial data, or information about the specific communications in question</p> <p><b>Transmissions:</b> data related to telecommunications functions of dialling, routing, addressing, or signalling; data that is transmitted to establish or maintain connection to a telecommunications service for the purposes of communication; data that is generated during the creation, transmission, or reception of a communication and identifies or purports to identity: type, direction, time, data, duration, size, origin, destination,</p>

Company	LEA Handbook/Site	C-30
		<p>or termination point of communication</p> <p><b>Tracking:</b> data that relates to the location of a transaction, individual, or thing</p>
MySpace	<p><b>User ID:</b> first and last name, gender, birth date, age, occupation, country, city, ZIP, state, email address, vanity URL, signup date and associated IP, account retention date</p> <p><b>IP Logs</b></p> <p><b>Profile:</b> photos and IP logs with each upload, information on uses' profile page, videos, blog entries, comments (received and created by user), friend's list, status updates</p> <p><b>Private Email:</b> (note that they differentiate between content and header information under access terms of this information)</p>	<p><b>Subscriber:</b> name, address, telephone number, email address, IP address(es), SPIN</p> <p><b>Preservation:</b> computer or business-related data that is in a TSP's control or preservation. The demands can be linked to transmission data, tracking data, financial data, or information about the specific communications in question</p> <p><b>Transmissions:</b> data related to telecommunications functions of dialling, routing, addressing, or signalling; data that is transmitted to establish or maintain connection to a telecommunications service for the purposes of communication; data that is generated during the creation, transmission, or reception of a communication and identifies or purports to identify: type, direction, time, data, duration, size, origin, destination, or termination point of communication</p> <p><b>Tracking:</b> data that relates to the location of a transaction, individual, or thing</p>
Photobucket*	<p><b>Basic User Info:</b> first and last name, user/screen name, ZIP, country, email address, account creation data</p>	<p><b>Subscriber:</b> name, address, telephone number, email address, IP address(es), SPIN</p>

\* Note that while included in our analyses, Photobucket was not analyzed more broadly as part of the CATSMI project.

Company	LEA Handbook/Site	C-30
	<p>and time  <b>IP and Date Logs:</b> data and IP address of recent access, registration IP address, banned data/time (if banned), data/time of upload or modification of file, upload IP for files post June 1, 2007  <b>Stored Files:</b> image and video content in account</p>	<p><b>Preservation:</b> computer or business-related data that is in a TSP’s control or preservation. The demands can be linked to transmission data, tracking data, financial data, or information about the specific communications in question  <b>Transmissions:</b> data related to telecommunications functions of dialling, routing, addressing, or signalling; data that is transmitted to establish or maintain connection to a telecommunications service for the purposes of communication; data that is generated during the creation, transmission, or reception of a communication and identifies or purports to identify: type, direction, time, data, duration, size, origin, destination, or termination point of communication  <b>Tracking:</b> data that relates to the location of a transaction, individual, or thing</p>
Twitter	<p><b>Public Information:</b> profile photo, header photo, background image, status updates, location (if selected to disclose by user), URL, and short “bio” section  <b>Private Information:</b> defined as non-public information</p>	<p><b>Subscriber:</b> name, address, telephone number, email address, IP address(es), SPIN  <b>Preservation:</b> computer or business-related data that is in a TSP’s control or preservation. The demands can be linked to transmission data, tracking data, financial data, or information about the specific communications in question  <b>Transmissions:</b> data related to telecommunications functions of dialling, routing, addressing, or signalling; data that is transmitted</p>

Company	LEA Handbook/Site	C-30
		<p>to establish or maintain connection to a telecommunications service for the purposes of communication; data that is generated during the creation, transmission, or reception of a communication and identifies or purports to identify: type, direction, time, data, duration, size, origin, destination, or termination point of communication</p> <p><b>Tracking:</b> data that relates to the location of a transaction, individual, or thing</p>
Yahoo!	<p><b>Subscriber Information:</b> name, location (chosen at time of registration), data account created, services used, credit card (if premium user), IP addresses associated with login to account up to 1 year old, registration IP (if account created post 1999)</p> <p><b>Yahoo! Mail (including personal, small business, domains, Flickr email, Rocket Mail):</b> any email available in users' account, IP address of computer used to send (cannot recover deleted emails)</p> <p><b>Yahoo! Chat/Messenger</b></p> <p><b>Yahoo! Groups (Flickr Groups?):</b> member list, email address of members, date when members joined group, information about moderators, content of files, content of photos, content of message sections, group activity log describing when users subscribe/unsubscribe, when users post or delete files (NOTE: message archive does not contain attachments to messages)</p>	<p><b>Subscriber:</b> name, address, telephone number, email address, IP address(es), SPIN</p> <p><b>Preservation:</b> computer or business-related data that is in a TSP's control or preservation. The demands can be linked to transmission data, tracking data, financial data, or information about the specific communications in question</p> <p><b>Transmissions:</b> data related to telecommunications functions of dialling, routing, addressing, or signalling; data that is transmitted to establish or maintain connection to a telecommunications service for the purposes of communication; data that is generated during the creation, transmission, or reception of a communication and identifies or purports to identify: type, direction, time, data, duration, size, origin, destination, or termination point of communication</p>

Company	LEA Handbook/Site	C-30
	<p><b>Yahoo! Flickr:</b> Contents in Flickr account, comments on users’ photos, IP address and timestamp of content uploaded, Flickr groups to which a user belongs, group content of Flickr group</p> <p>-----</p> <p><b>Subscriber Information:</b> name, location (chosen at time of registration), data account created, services used, credit card (if premium user), IP addresses associated with login to account up to 1 year old, registration IP (if account created post 1999), content in electronic storage over 180 days (with appropriate demand)</p> <p><b>Transactional Records:</b> e.g. messenger logs, IP address information linked to any activity other than log-in</p> <p><b>Content:</b> Contents in electronic storage for 180 days or less</p>	<p><b>Tracking:</b> data that relates to the location of a transaction, individual, or thing</p>
<p>Wordpress</p>	<p>Email address assigned to site owner, IP address from which site was created, date and time (UTC) at which site was created.</p> <p>PayPal transaction information for any upgrades that are purchased for site (does not include credit card, bank account, or address information).</p> <p>IP address and user-agent for any post or revision on a site Email address and IP address for any comment posted on a site.</p>	<p><b>Subscriber:</b> name, address, telephone number, email address, IP address(es), SPIN</p> <p><b>Preservation:</b> computer or business-related data that is in a TSP’s control or preservation. The demands can be linked to transmission data, tracking data, financial data, or information about the specific communications in question</p> <p><b>Transmissions:</b> data related to telecommunications functions of dialling, routing, addressing, or signalling; data that is transmitted to establish or maintain connection to a</p>

Company	LEA Handbook/Site	C-30
		<p>telecommunications service for the purposes of communication; data that is generated during the creation, transmission, or reception of a communication and identifies or purports to identify: type, direction, time, data, duration, size, origin, destination, or termination point of communication</p> <p><b>Tracking:</b> data that relates to the location of a transaction, individual, or thing</p>
Tumblr	Tumblr collects and stores non-public user information in accordance with Terms of Service and Privacy Policy.	
Foursquare	Not identified.	

## What Are the Companies' Stated Retention Periods?

Company	Handbook/Site	C-30	Implications
Blizzard	<p><b>IP Address Logs:</b> Forever</p> <p><b>Mail:</b> Less than 180 days (thus not subject to SCA)</p> <p><b>Received Messages:</b> Deleted from user account after 29 days, server by 180 days</p>	<p><b>Subscriber:</b> What is retained in course of business.</p> <p><b>Preservation:</b> Able to store preserved data for 21 (domestic) or 90 (international law) days upon demand.</p> <p><b>Transmission:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of transmission data.</p> <p><b>Tracking:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of tracking data.</p>	The company can likely comply with C-30 requests.
Facebook (2010)	---	<p><b>Subscriber:</b> What is retained in course of business.</p> <p><b>Preservation:</b> Able to store preserved data for 21 (domestic) or 90 (international law) days upon demand.</p> <p><b>Transmission:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist</p>	Unknown

Company	Handbook/Site	C-30	Implications
		<p>offenses) of transmission data.  <b>Tracking:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of tracking data.</p>	
<p>Facebook (2012)</p>	<p>Refer to data use policy, statement of rights and responsibilities, and help centre</p>	<p><b>Subscriber:</b> What is retained in course of business.  <b>Preservation:</b> Able to store preserved data for 21 (domestic) or 90 (international law) days upon demand.  <b>Transmission:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of transmission data.  <b>Tracking:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of tracking data.</p>	
<p>Google</p>	<p>--</p>	<p><b>Subscriber:</b> What is retained in course of business.  <b>Preservation:</b> Able to store preserved data for 21 (domestic) or 90 (international law)</p>	<p>Unknown</p>

Company	Handbook/Site	C-30	Implications
		<p>days upon demand.  <b>Transmission:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of transmission data.  <b>Tracking:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of tracking data.</p>	
Instagram	unclear, “some info may only be stored for a short period of time”	<p><b>Subscriber:</b> What is retained in course of business.  <b>Preservation:</b> Able to store preserved data for 21 (domestic) or 90 (international law) days upon demand.  <b>Transmission:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of transmission data.  <b>Tracking:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of tracking data.</p>	Unknown

Company	Handbook/Site	C-30	Implications
LinkedIn	-- + data not available post-deletion	<p><b>Subscriber:</b> What is retained in course of business.</p> <p><b>Preservation:</b> Able to store preserved data for 21 (domestic) or 90 (international law) days upon demand.</p> <p><b>Transmission:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of transmission data.</p> <p><b>Tracking:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of tracking data.</p>	Unknown
MS/MSN Online	<p><b>IP Address Logs:</b> 60 days</p> <p><b>Email Connection Access Logs:</b> 60 days</p> <p><b>Internet Connection Access Logs:</b> 60 days</p> <p><b>MSN Member Directory Logs:</b> None</p> <p><b>Chat Room Dialogue:</b> None</p> <p><b>Messenger Conversations:</b> None</p>	<p><b>Subscriber:</b> What is retained in course of business.</p> <p><b>Preservation:</b> Able to store preserved data for 21 (domestic) or 90 (international law) days upon demand.</p> <p><b>Transmission:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of transmission data.</p> <p><b>Tracking:</b> Have a system such that</p>	The company may <b>not be able</b> to comply with <b>International Preservation</b> requirements.

Company	Handbook/Site	C-30	Implications
		<p>authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of tracking data.</p>	
MySpace	<p><b>IP Address Logs:</b> 1 year  <b>Email:</b> Until deleted  <b>Subscriber Profile:</b> Not kept after modification barring preservation order</p>	<p><b>Subscriber:</b> What is retained in course of business.  <b>Preservation:</b> Able to store preserved data for 21 (domestic) or 90 (international law) days upon demand.  <b>Transmission:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of transmission data.  <b>Tracking:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of tracking data.</p>	<p>The company can likely comply with C-30 requests.</p>
Photobucket*	<p><b>Basic Subscriber Information:</b> 1 year  <b>IP and Date Logs:</b> 1 year  <b>Stored Files:</b> Indefinite</p>	<p><b>Subscriber:</b> What is retained in course of business.  <b>Preservation:</b> Able to store preserved data for 21 (domestic) or 90 (international law) days upon demand.</p>	<p>The company can likely comply with C-30 requests.</p>

\* Note that while included in our analyses, Photobucket was not analyzed more broadly as part of the CATSMI project.

Company	Handbook/Site	C-30	Implications
		<p><b>Transmission:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of transmission data.</p> <p><b>Tracking:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of tracking data.</p>	
Twitter	See privacy policy	<p><b>Subscriber:</b> What is retained in course of business.</p> <p><b>Preservation:</b> Able to store preserved data for 21 (domestic) or 90 (international law) days upon demand.</p> <p><b>Transmission:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of transmission data.</p> <p><b>Tracking:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of tracking data.</p>	
Yahoo!	<b>Subscriber Information</b>	<b>Subscriber:</b> What is	The company can

Company	Handbook/Site	C-30	Implications
	<p><b>(account active):</b> indefinite</p> <p><b>Subscriber Information (account inactive):</b> 18 months</p> <p><b>Subscriber Information (account deleted):</b> 90 days</p> <p><b>Account Login IP Address:</b> up to 1 year</p> <p><b>Email (account active):</b> as long as user keeps it</p> <p><b>Email (account inactive):</b> 4 or more months depending on how long account open</p> <p><b>Flickr (account active):</b> indefinite</p> <p><b>Flickr (account deactivated):</b> deleted</p> <p><b>Groups (Activity logs, active):</b> indefinite</p> <p><b>Groups (Content, active):</b> indefinite, only current revision stored</p> <p><b>Groups (Activity logs/content, inactive):</b> 30 days after group termination</p> <p><b>Groups (Profiles, active):</b> as long as group active</p> <p><b>Groups (Profiles, inactive):</b> minimum 90 days after deletion</p>	<p>retained in course of business.</p> <p><b>Preservation:</b> Able to store preserved data for 21 (domestic) or 90 (international law) days upon demand.</p> <p><b>Transmission:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of transmission data.</p> <p><b>Tracking:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of tracking data.</p>	<p>likely comply with C-30 requests.</p>
<p>Wordpress</p>	<p>“WordPress.com retains various information, including posts and comments made to a site, for various lengths of time based on the type of information and the user’s actions.”</p>	<p><b>Subscriber:</b> What is retained in course of business.</p> <p><b>Preservation:</b> Able to store preserved data for 21 (domestic) or 90 (international law) days upon demand.</p> <p><b>Transmission:</b> Have a</p>	<p>Unknown</p>

Company	Handbook/Site	C-30	Implications
		<p>system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of transmission data.</p> <p><b>Tracking:</b> Have a system such that authorities can capture 60 days or 365 days (in case of organized crime or terrorist offenses) of tracking data.</p>	
Tumblr	Not identified in LEA guide.		
Foursquare	Not identified in LEA guide.		

## Do Companies Inform Subscribers After Disclosing Information?

Company	Handbook/Site	C-30	Implications
Blizzard	---	<p><b>Subscriber:</b> Yes. Requests are governed by S. 9 of PIPEDA, which includes prohibitions on informing subscribers that PII was disclosed to authorities.</p> <p><b>Production:</b> Potentially. Productions orders may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Transmission:</b> Potentially. Transmission Warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Tracking:</b> Potentially. Tracking warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p>	Unknown
Facebook (2010)	---	<p><b>Subscriber:</b> Yes. Requests are governed by S. 9 of PIPEDA,</p>	Unknown

Company	Handbook/Site	C-30	Implications
		<p>which includes prohibitions on informing subscribers that PII was disclosed to authorities.</p> <p><b>Production:</b> Potentially. Productions orders may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Transmission:</b> Potentially. Transmission Warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Tracking:</b> Potentially. Tracking warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p>	
Facebook (2012)	Yes, unless court order prohibits or told disclosure would lead to risk of harm	<p><b>Subscriber:</b> Yes. Requests are governed by S. 9 of PIPEDA, which includes prohibitions on informing subscribers that PII was disclosed to authorities.</p> <p><b>Production:</b> Potentially. Productions orders may be</p>	Likely reduce Facebook's ability to disclose requests to subscribers.

Company	Handbook/Site	C-30	Implications
		<p>accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Transmission:</b> Potentially. Transmission Warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Tracking:</b> Potentially. Tracking warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p>	
Foursquare	Yes, unless prohibited by court order	<p><b>Subscriber:</b> Yes. Requests are governed by S. 9 of PIPEDA, which includes prohibitions on informing subscribers that PII was disclosed to authorities.</p> <p><b>Production:</b> Potentially. Productions orders may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Transmission:</b> Potentially.</p>	Likely result in Twitter being unable to inform subscribers of disclosures

Company	Handbook/Site	C-30	Implications
		<p>Transmission Warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Tracking:</b> Potentially. Tracking warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p>	
Google	---	<p><b>Subscriber:</b> Yes. Requests are governed by S. 9 of PIPEDA, which includes prohibitions on informing subscribers that PII was disclosed to authorities.</p> <p><b>Production:</b> Potentially. Productions orders may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Transmission:</b> Potentially. Transmission Warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Tracking:</b> Potentially.</p>	Unknown

Company	Handbook/Site	C-30	Implications
		<p>Tracking warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p>	
Instagram	---	<p><b>Subscriber:</b> Yes. Requests are governed by S. 9 of PIPEDA, which includes prohibitions on informing subscribers that PII was disclosed to authorities.</p> <p><b>Production:</b> Potentially. Productions orders may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Transmission:</b> Potentially. Transmission Warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Tracking:</b> Potentially. Tracking warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p>	Unknown

Company	Handbook/Site	C-30	Implications
LinkedIn	Yes	<p><b>Subscriber:</b> Yes. Requests are governed by S. 9 of PIPEDA, which includes prohibitions on informing subscribers that PII was disclosed to authorities.</p> <p><b>Production:</b> Potentially. Productions orders may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Transmission:</b> Potentially. Transmission Warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Tracking:</b> Potentially. Tracking warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p>	Likely reduce LinkedIn's ability to notify subscribers.
MS/MSN Online	---	<p><b>Subscriber:</b> Yes. Requests are governed by S. 9 of PIPEDA, which includes prohibitions on informing subscribers that PII was disclosed to authorities.</p>	Unknown

Company	Handbook/Site	C-30	Implications
		<p><b>Production:</b> Potentially. Productions orders may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Transmission:</b> Potentially. Transmission Warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Tracking:</b> Potentially. Tracking warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p>	
MySpace	---	<p><b>Subscriber:</b> Yes. Requests are governed by S. 9 of PIPEDA, which includes prohibitions on informing subscribers that PII was disclosed to authorities.</p> <p><b>Production:</b> Potentially. Productions orders may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required</p>	Unknown

Company	Handbook/Site	C-30	Implications
		<p>by default.  <b>Transmission:</b>                      Potentially. Transmission Warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.  <b>Tracking:</b> Potentially. Tracking warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p>	
Photobucket*	---	<p><b>Subscriber:</b> Yes. Requests are governed by S. 9 of PIPEDA, which includes prohibitions on informing subscribers that PII was disclosed to authorities.  <b>Production:</b> Potentially. Productions orders may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.  <b>Transmission:</b> Potentially. Transmission Warrants may be accompanied by</p>	Unknown

\* Note that while included in our analyses, Photobucket was not analyzed more broadly as part of the CATSMI project.

Company	Handbook/Site	C-30	Implications
		<p>non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Tracking:</b> Potentially. Tracking warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p>	
Tumblr	Yes, unless prohibited by court order.	<p><b>Subscriber:</b> Yes. Requests are governed by S. 9 of PIPEDA, which includes prohibitions on informing subscribers that PII was disclosed to authorities.</p> <p><b>Production:</b> Potentially. Productions orders may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Transmission:</b> Potentially. Transmission Warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Tracking:</b> Potentially. Tracking warrants may be accompanied by</p>	Likely result in Twitter being unable to inform subscribers of disclosures

Company	Handbook/Site	C-30	Implications
		<p>non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p>	
Twitter	Yes, unless prohibited by court order	<p><b>Subscriber:</b> Yes. Requests are governed by S. 9 of PIPEDA, which includes prohibitions on informing subscribers that PII was disclosed to authorities.</p> <p><b>Production:</b> Potentially. Productions orders may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Transmission:</b> Potentially. Transmission Warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Tracking:</b> Potentially. Tracking warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p>	Likely result in Twitter being unable to inform subscribers of disclosures
Yahoo!	---	<p><b>Subscriber:</b> Yes. Requests are governed</p>	Unknown

Company	Handbook/Site	C-30	Implications
		<p>by S. 9 of PIPEDA, which includes prohibitions on informing subscribers that PII was disclosed to authorities.</p> <p><b>Production:</b> Potentially. Productions orders may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Transmission:</b> Potentially. Transmission Warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Tracking:</b> Potentially. Tracking warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p>	

Company	Handbook/Site	C-30	Implications
Wordpress	<p>Yes. Includes copies of any civil or government legal process regarding their account or site (including requests for private information), unless prohibited by law or court order from doing so.</p> <p>If a request for information is valid, Wordpress allows user to quash or legally challenge the request, and no information will be provided until that process concludes.</p>	<p><b>Subscriber:</b> Yes. Requests are governed by S. 9 of PIPEDA, which includes prohibitions on informing subscribers that PII was disclosed to authorities.</p> <p><b>Production:</b> Potentially. Productions orders may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Transmission:</b> Potentially. Transmission Warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p> <p><b>Tracking:</b> Potentially. Tracking warrants may be accompanied by non-disclosure clauses. Also, regulation may clarify that non-disclosure is required by default.</p>	Unknown

## Interesting Facts

### Social Networking Handbooks

Company	Factoid
Blizzard	Deletes email by 180 days to avoid being forced to deliver information under the United States’ Stored Communications Act
Facebook (2010)	Discourages use of fake accounts by LEAs Only English-speaking support given by law enforcement response team Request process tends to last 90 days “Facebook team may be able to retrieve specific information not addressed in disclosure categories”
Facebook (2012)	Cost reimbursement may be sought
Google	N/A
Instagram	N/A
LinkedIn	N/A
MS/MSN Online	N/A
MySpace	N/A
Photobucket*	N/A
Twitter	N/A
Yahoo!	Includes detailed costing of responding to requests
Wordpress	Wordpress notes that they reserve the option to challenge the scope or validity of legal process received, on behalf of the user, whether or not the user pursues his/her own legal challenge.
Tumblr	
Foursquare	

\* Note that while included in our analyses, Photobucket was not analyzed more broadly as part of the CATSMI project

## C-30 Telecommunications Service Providers

Element of Legislation	Note
Subscriber Data	<p>TSPs must be capable of disclosing subscriber information, even as they develop and upgrade their systems and platforms. TSPs do not need to collect subscriber information beyond that demanded by their regular course of business.</p>
Preservation - Domestic	<p>Must be capable of retaining data for up to 21 days. Degree of specificity concerning communications preservation remains unclear (i.e. all HTTP communications, all Facebook communications, or all Facebook communications between particular parties).</p> <p>After the 21 days, the TSP must delete information that is not retained in the regular course of business.</p> <p>Interception capabilities cannot degrade over time as new equipment/services are offered, or as more subscribers join the service.</p> <p>New services and software deployed by the TSP must remain compliant with C-30 interception and preservation requirements.</p> <p>Regulations would set baseline number of prospective simultaneous interceptions; the Minister could subsequently expand that number (with government paying for extra costs).</p>
Preservation - International	<p>Must be capable of retaining data for up to 90 days. Degree of specificity remains unclear (i.e. all HTTP communications, all Facebook communications, or all Facebook communications between particular parties).</p> <p>After the 21 days, the TSP must delete information that is not retained in the regular course of business.</p>

Element of Legislation	Note
	<p>Interception capabilities cannot degrade over time as new equipment/services are offered, or as more subscribers join the service.</p> <p>New services and software deployed by the TSP must remain compliant with C-30 interception and preservation requirements.</p> <p>Regulations would set baseline number of prospective simultaneous interceptions; the Minister could subsequently expand that number (with government paying for extra costs).</p>
Transmission	<p>TSPs are obligated to have a technological infrastructure to which authorities can install, activate, use, maintain, monitor or remove transmissions data recorders, including covertly. There is not an obligation for TSPs to assist in the attachment or use of a device, though assistance may be provided.</p> <p>Data capture and disclosure can function for 60 days or, when the investigation involves organized crime or terrorist offences, up to 365 days.</p>
Tracking	<p>TSPs are obligated to have a technological infrastructure to which authorities can install, activate, use, maintain, monitor or remove tracking devices, including covertly. There is not an obligation for TSPs to assist in the attachment or use of a device, though assistance may be provided.</p> <p>Tracking data capture and disclosure can function for 60 days or, when the investigation involves organized crime or terrorist offences, up to 365 days.</p>

## References

The lawful access handbooks that were used in compiling this document are available at <http://catsmi.ca/resources/public-resources>.

C-30 “Protecting Children from Internet Predators Act” is available at <http://www.parl.gc.ca/LegisInfo/BillDetails.aspx?Bill=C30>.

## About the Authors

This document was researched and written by Christopher Parsons and Adam Molnar.

**Christopher Parsons** is a privacy-by-design ambassador, a well-recognized member of the Canadian privacy community, and a Principal at BlockG Security and Privacy Consulting. He has over a decade's experience working with challenging privacy issues that are linked to digital technologies. He specializes in how Canadian privacy law intersects with digital systems, and the implications of such law on the development and deployment of novel projects and practices. Christopher is presently completing his Ph.D in the Department of Political Science at the University of Victoria, where he is a fellow at the Centre for Global Studies. He has published in the Canadian Journal of Law and Society, European Journal of Law and Technology, Canadian Privacy Law Review, CTheory, and has book chapters in a series of academic and popular books and reports.

**Adam Molnar** has spent over a decade researching, teaching, and consulting on developments in security and privacy, particularly in the areas of policing, national security, and public safety. He specializes in how collaborative governmental initiatives are arranged, and the privacy and security benefits and challenges that follow. Adam is presently completing his Ph.D in the Department of Political Science at the University of Victoria, is a forthcoming Postdoctoral Fellow in the Surveillance Studies Centre at Queen's University, and is a Principal at BlockG Security and Privacy Consulting. He has published book chapters and policy reports, and he regularly presents his research domestically and further abroad.

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Electronic version first published at [www.catsmi.ca](http://www.catsmi.ca) in Canada in 2013 by The Canadian Access to Social Media Information (CATSMI) Project.

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