

December 8, 2020

Sundar Pichai
Chief Executive Officer
Google, LLC
1600 Amphitheatre Parkway
Mountain View, CA 94043
sundar@google.com
Via U.S.P.S & Email

Re: Need for Improved Transparency on “Geofence” and “Keyword Warrants.”

Dear Mr. Pichai,

We, the undersigned civil rights, labor, and civil society organizations, call on Google to aid us in opposing the alarming growth in law enforcement searches of Google user data. While law enforcement agencies have sought Google account data for years, we write in response to the increasing reports of novel warrants and other court orders that demand far more data than in the past.

This includes the use of so-called “geofence warrants,” which compel disclosure of all devices in a geofenced area, and so-called “keyword warrants,” which identify every user who searched for a specific keyword, phrase, or address. These blanket warrants circumvent constitutional checks on police surveillance, creating a virtual dragnet of our religious practices, political affiliations, sexual orientation, and more.

Reports indicate that Google has complied with an increasing number of these non-traditional warrants in recent years.¹ For example, according to Google’s submission in *United States v. Chatrue*, you received a 75-fold increase in geofence warrant requests from 2017 to 2019.² This limited reporting has been indispensable in building public awareness about this unconstitutional surveillance tactic. While we are grateful that Google made the limited disclosures that it did in *United States v. Chatrue*, we urge you to do more.

As a leading recipient of geofence and keyword warrants, Google is uniquely situated to provide public oversight of these abusive practices. We ask you to do just that by expanding your industry-leading transparency report to provide monthly data on the number of non-traditional court orders received, including granular information on geofence warrants, keyword warrants, and any analogous requests. By providing this semiannual breakdown of requests, tracking the growth of these abusive tactics over time, you’ll provide us and other civil society organizations vital ammunition in the fight for privacy.

¹ E.g., Alfred Ng, *Google Is Giving Data to Police Based on Search Keywords, Court Docs Show*, CNET (Oct. 8, 2020, 1:21 PM), <https://www.cnet.com/news/google-is-giving-data-to-police-based-on-search-keywords-court-docs-show>.

² Brief of Amicus Curiae Google LLC in Support of Neither Party Concerning Defendant’s Motion to Suppress Evidence from a “Geofence” General Warrant at 3, *United States v. Chatrue*, No. 3:19-cr-00130 (E.D. Va. Dec. 23, 2019), ECF No. 73 (reporting a 15-fold increase in geofence warrants from 2017 to 2018 and a further 5-fold increase in 2019).

We look forward to working with your staff on this matter. Please contact Surveillance Technology Oversight Project Executive Director Albert Fox Cahn at [REDACTED] or [REDACTED] with any questions, comments, or concerns.

Sincerely,

S.T.O.P. - The Surveillance Technology Oversight Project
Access Now
Advocacy for Principled Action in Government
Alternate ROOTS
Amnesty International - USA
Asian American Legal Defense and Education Fund (AALDEF)
Asian Americans Advancing Justice - Asian Law Caucus
Brennan Center for Justice
Brooklyn Defender Services
CAIR-Minnesota
California LGBT Arts Alliance
Center for Human Rights and Privacy
Center on Race, Inequality, and the Law at NYU Law
Community Alliance for Global Justice
Council on American-Islamic Relations, New York (CAIR-NY)
Cypurr Collective
Defending Rights & Dissent
Demand Progress
Due Process Institute
Electronic Frontier Foundation (EFF)
Emony Yefwe International
Empire State Indivisible
Encode Justice
Equal Justice Under Law
Ethics in Technology a 501 c 3
Fight for the Future
Freedom of the Press Foundation
FreedomWorks

Government Accountability Project
Hacking//Hustling
Islamophobia Studies Center
Legal Action Center
Media Alliance
National Coalition Against Censorship
New America's Open Technology Institute
New York Civil Liberties Union (NYCLU)
New York County Defender Services
Nicaragua Center for Community Action
Northern New Jersey Jewish Voice for Peace
Oakland Privacy
Occupy Bergen County (N.J.)
OCF @ U.C. Berkeley
PDX Privacy
Policing and Social Justice Project
Project South
Restore The Fourth
Reviving the Islamic Sisterhood for Empowerment (RISE)
TechActivist.Org
Technology for Liberty Program, ACLU of Massachusetts
Tenth Amendment Center
The Bronx Defenders
The Calyx Institute
The Legal Aid Society of NYC
The Project On Government Oversight
TKE
United Voices of Cortland
Urban Justice Center
Visionary V
Wolfson Cybersecurity Club
X-Lab