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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

June 28, 2016

VIA ELECTRONIC TRANSMISSION

Mr. Evan Spiegel
Chief Executive Officer
Snapchat
63 Market Street
Venice, CA 90291

Dear Mr. Spiegel:

Thank you for your response on June 23, 2016, to my letter regarding actions Snapchat is taking, or has already taken, to combat and deter the use of its platform to abuse elderly nursing home residents. These types of incidents are indeed heartbreaking.

As you stated, Snapchat has over 100 million daily users who send roughly 1 billion images or videos per day. Within that number of people, there will always be those who have an evil intent. In many instances social media platforms, not just Snapchat, have been used to abuse the elderly in nursing homes. The need to protect our First Amendment rights is sacred. However, the First Amendment certainly does not protect individuals when they post photos and videos of nude and partially nude nursing home residents particularly when it is done without their consent.

It appears difficult, if not impossible, to report a user for an abusive snap such as a nude photo of an elderly person using the current online reporting tool. When an individual tries to report a safety concern on behalf of someone else, say, an elderly nursing home resident, the tool produces the message: "We are unable to take action based on third-party reports. Please have them reach out to us directly so we can follow up. If the incident involves a minor, reports may also be made by their parent or legal guardian." An elderly nursing home resident victim is unlikely to have his or her own Snapchat account or have the knowledge or ability necessary to report abusive snaps on his or her own behalf. Therefore, the responsibility would fall to a concerned third party, such as a relative or nursing home aide who sees the offensive post.

Fortunately, your June 23 response indicated that Snapchat is currently developing a “more streamlined in-app reporting system, which will make it faster and easier for Snapchatters to document and report incidents of abuse.”

Please provide detailed written responses to the following questions:

1. How does a concerned third party report an abusive or criminal post to Snapchat under the current system? How will that be possible under the new system?
2. Your letter indicated, “[w]e also cooperate with U.S. law enforcement when we receive appropriate legal process.” What constitutes appropriate legal process? Please explain how you cooperate with law enforcement in greater detail.
3. Snapchat has been used in eighteen different instances of elder abuse since 2012 that are publicly known.¹ How many of those users have been terminated from using the platform over such elder abuse?
4. Will this new system allow users as well as non-users to report potential criminal activity and abusive photos? If so, please explain in detail. If not, why not?
5. When will the new reporting system be completed and in use?
6. Prior to the completion of the new reporting system, how should users report incidents of abusive or criminal behavior?
7. What can Snapchat do to prevent abuse proactively, considering that most users, especially those who post offensive content, are unlikely to read the detailed Community Guidelines and Terms of Service?
8. Please describe the actions Snapchat takes to monitor content and remove offensive material.

Thank you in advance for your cooperation with this request. Please number your responses according to their corresponding questions and respond no later than July 16, 2016. If you have questions, please contact Josh Flynn-Brown or Paul Junge of my Committee staff at (202) 224-5225.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary

¹ See Charles Ornstein, *Inappropriate Social Media Posts by Nursing Home Workers, Detailed*, ProPublica (Dec. 21, 2015), <https://www.propublica.org/article/inappropriate-social-media-posts-by-nursing-home-workers-detailed>