

Snap Inc. Law Enforcement Guide

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Download at: <https://www.snapchat.com/lawenforcement>

Welcome

This operational Guide is provided for members of U.S. and non-U.S. law enforcement (including appropriate government officials) who are seeking to request the preservation or disclosure of Snapchat account records (*i.e.*, Snapchat user data) from Snap Inc. ("Snap").

Among other information, this Guide provides details regarding the possible availability of Snapchat account records, the type of legal process required to compel disclosure of that data, and how to reach our Law Enforcement Operations Team.

To learn more about our Global Safety Operations and how we work with Law Enforcement to keep our platform safe, please follow our [Safety and Impact Blog](#).

To locate safety resources that can be shared with schools, students and parents, please visit our [Safety Center](#).

Contact Information for Law Enforcement

Sending Legal Process, Preservation Requests, and Related Inquiries

U.S. law enforcement and governmental agencies should submit legal process and preservation requests to Snap via Snap's Law Enforcement Service Site ("LESS"): less.snapchat.com.

We strongly encourage all members of U.S law enforcement and governmental agencies who have not yet requested access to LESS to do so as it also provides you the ability to check on the status of your submissions. To get started, visit <https://less.snapchat.com/> and submit your government-issued email address. You will then receive an email from no_reply@snapchat.com to your government-issued email address with a link to the Law Enforcement Service System. Please note that the account creation process may take some time as we verify registrants for security purposes, but you may continue to communicate with us via lawenforcement@snapchat.com until your account has been created.

We are currently working to introduce LESS to designated single-point-of-contact (SPOC) members of non-U.S. law enforcement. If LESS has already been introduced in your location, please note that it is the optimal method by which to communicate with Snap.

If you do not yet have access to LESS, we can accept service of legal process and preservation requests – and receive general questions – from members of law enforcement via email (from an official government email domain only) to lawenforcement@snapchat.com. Please note that we do not accept service of process or respond to questions from private email domains (e.g., Gmail, Yahoo).

Receipt of law enforcement requests by the means listed above is for convenience only and does not waive any objections or legal rights of Snap or Snapchat users.

Snap is prohibited by California law from responding to legal process relating to alleged violations of laws that create liability for, or arise out of, providing, facilitating, or obtaining an abortion or intending or attempting to provide, facilitate, or obtain an abortion that is lawful under California law. Accordingly, please be advised that Snap does not accept such legal process through the means described above.

Please note that we will not respond to correspondence from non-law enforcement or non-governmental officials submitted through the channels described above.

Emergency Disclosure Requests

Members of law enforcement (including appropriate government officials) seeking the *emergency* disclosure of Snapchat account records should complete and submit Snap's Law Enforcement Emergency Response Form via Snap's Law Enforcement Service Site: <https://less.snapchat.com/emergency>.

Please note that you do not need a LESS account to submit an Emergency Disclosure Request through LESS, although members of law enforcement who already have LESS accounts may also access the Emergency Disclosure Form by first signing in to their LESS account here: <https://less.snapchat.com/>.

When submitting an Emergency Disclosure Request to Snap, you will be prompted to provide information regarding the nature of the emergency that is causing you to seek immediate disclosure rather than relying on standard legal process. Please be specific about the nature of the emergency and the way it is related to an imminent risk of death or serious bodily injury. Specific details are needed to ensure we have all the information legally required when reviewing and processing of your request. (See 18 U.S.C. §§ 2702(b)(8), (c)(4).) We therefore ask that you provide as much information as possible about the nature and recency of the

emergency, the identity of the individual who is threatened, and how the Snapchat information sought will address the emergency.

Important Note: The Law Enforcement Emergency Response Form is for use only by sworn law enforcement (or other appropriate) officials requiring emergency assistance regarding a threat of imminent death or serious bodily injury. Please note that it may be a crime in the United States and other countries to pretend to be or to impersonate a law enforcement official. Non-urgent inquiries submitted via the Law Enforcement Emergency Response Form will receive a response redirecting the request to the above-described submission process for non-urgent requests (e.g., LESS or lawenforcement@snapchat.com).

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I. Snap and Law Enforcement Overview

Snapchat is a visual messaging app made by Snap Inc. (“Snap”) that enhances relationships with friends, family, and the world. Snapchat empowers people to express themselves, live in the moment, learn about the world, and have fun together. Snapchat is available as a mobile and web application; the mobile app is available through the iPhone App Store and Google Play Store, while the web application can be accessed at web.snapchat.com.

This Guide provides information for law enforcement officials seeking Snapchat account records (*i.e.*, Snapchat user data) from Snap. While we make every effort to keep this Guide up-to-date, please note there may be new products or features launched after this update which are not addressed below. Questions that are not addressed in this Guide may be sent to lawenforcement@snapchat.com.

U.S. Legal Process Requirements

Snap discloses Snapchat account records solely in accordance with our Terms of Service, the Stored Communications Act, 18 U.S.C. § 2701, *et seq.* (“SCA”), and other applicable laws. The SCA mandates that we disclose certain Snapchat account records only in response to specific types of legal process, including subpoenas, court orders, and search warrants. Generally, the SCA authorizes U.S. law enforcement and governmental entities to compel us to disclose basic subscriber information, non-content account information, and account content (as described in Section V “Required Legal Process” below) in response to appropriate legal process. Snap requires a valid order under the Pen Register Act, 18 U.S.C § 3121, *et seq.*, or the Wiretap Act, 18 U.S.C. § 2510, *et. seq.*, or an equivalent state law, in order to provide metadata or content information, respectively, on a prospective basis.

Non-U.S. Legal Process Requirements

Non-U.S. law enforcement generally must rely on the mechanics of the Mutual Legal Assistance Treaty (“MLAT”) or letters rogatory processes to request Snapchat account records from Snap. As a courtesy to non-U.S. law enforcement, we will review and respond to properly submitted preservation requests (see Section VI “Preservation Requests” below).

Snap may, at its discretion, provide limited Snapchat account records to law enforcement and governmental agencies outside the U.S. in response to legal process that is duly authorized in the requesting country and that seeks non-content information such as basic subscriber information and IP data.

Additionally, Snap may, at its discretion and in accordance with the requirements of U.S. law, provide limited Snapchat account records to law enforcement outside of the U.S. on an

emergency basis when we believe that doing so is necessary to prevent imminent death or serious bodily injury to someone.

Support for Global Law Enforcement

Snap is committed to assisting law enforcement investigations as the law requires and the safety of Snapchatters and others demands. Therefore, we provide email support to law enforcement agencies for non-emergency matters and 24-hour online support for emergency situations involving the threat of imminent death or serious bodily injury. Contact information for our Law Enforcement Operations Team is provided on Page 1 of this Guide.

Please note that Snap cannot provide legal advice to law enforcement. If you need clarification about the legal restrictions on providers like Snap, please contact the U.S. Department of Justice's Computer Crime and Intellectual Property Section ("CCIPS").

Please also note that Snap cannot provide expert testimony, though we will endeavor, to the best of our ability, to answer questions from law enforcement that are submitted to lawenforcement@snapchat.com.

II. Snap User Notice Policy

Snap's policy is to notify Snapchatters when we receive U.S. legal process seeking the disclosure of their records. Before we respond to the legal process, and unless otherwise required by law or court order, we allow affected users a period of time to challenge the legal process in court and to provide us a court file-stamped copy of the challenge to the legal process. Snap does not notify users when we are served with preservation requests.

We recognize two exceptions to our user notice policy.

1. We will not notify users of legal process where providing notice is prohibited by a court order issued under 18 U.S.C. § 2705(b) or by other legal authority. Non-disclosure orders must be duly authorized by a judge's signature and must be for a finite duration.
2. We reserve the right to forgo user notice when we, in our sole discretion, believe an exceptional circumstance exists, such as cases involving child exploitation, the sale of lethal drugs, or the threat of imminent death or serious bodily injury.

To minimize delays related to our user notice policy, law enforcement should take one of the following steps:

1. When submitting legal process using LESS, choose the appropriate choice from the dropdown menu to inform us that you have no objection to us notifying the affected user(s) of your legal process. This saves us the step of notifying you of Snap's user notice policy and awaiting your confirmation that you have no objection, which means we can process your request more quickly.
2. Provide a court order issued in accordance with 18 U.S.C. § 2705(b) or state law that prohibits Snap from providing notice to the affected user(s). Ensure that the non-disclosure order is connected to the applicable legal process by some unique identifying information, such as a case number or Snapchat username(s). Please also note we do not recognize the validity of indefinite non-disclosure orders; all orders prohibiting Snap from providing notice to the affected user(s) should include an end date.
3. Inform us of an alternate, valid legal basis that prohibits Snap from providing notice to the affected user(s).
4. Inform us if your case involves child exploitation, the sale of lethal drugs, or the threat of imminent death or serious bodily injury, and provide a sufficient factual basis for Snap to independently make that determination.

III. How Snapchat Works

The following is an overview of how the Snapchat app works. Snapchat is often introducing new or improved features. The most up-to-date (and additional) product information is available on the Snapchat Support Site at: <https://support.snapchat.com>.

Please note that the information provided below reflects the default settings of the Snapchat app, but users may opt to change default settings to reduce the retention period of some types of data within the app.

Snaps

Snaps are photos or videos taken using the Snapchat app's camera on an individual's mobile device. Snaps may be shared either directly in a Chat with one or a group of the user's friends, or shared in a Story (explained below).

Snapchatters can save a Snap message by pressing and holding on it to save while viewing or directly after viewing a Snap. After saving a Snap, the Snap will appear in the conversation as Chat Media. (Chat Media is discussed in the Chat section below.)

Snap's servers are designed to automatically delete a shared Snap after it has been opened by all recipients. Please refer to our [Support Page](#) for more detailed information about retention of Snaps.

Stories

A user can add Snaps, Memories, or images and video from their device camera roll to their "Story." In general, users can manage their privacy settings so that their Story may be able to be viewed by all Snapchatters, their friends, or a custom audience. Users can also elect to create other types of Stories, or to submit content to the Snap Map or Spotlight. For additional information about Stories, or submitting to the Snap Map or Spotlight, please refer to our [Support Site](#).

Snap's servers are currently designed to automatically delete the content in a user's Story, by default, 24 hours after it is shared on Snapchat, but the user may delete part or all of the Story earlier or they may, in certain instances, change their settings to have the Story visible longer. Submissions to the Snap Map and Spotlight may be saved for longer periods.

Memories

Memories is Snapchat's cloud-storage service. Users can save their sent or unsent Snaps, posted Stories, and photos and videos from their device's camera roll in Memories. Content saved in Memories is backed up by Snap and may remain in Memories until deleted by the user. Users may choose to encrypt their content in Memories by saving it in "My Eyes Only," in which case the content is not accessible to Snap and cannot be decrypted by Snap. Please note that because Memories functions as cloud storage, Snap will not provide Memories files in response to legal process that requests interpersonal communications.

Chat

A user can send text and send Snaps in Chat. A user may also send Memories, media uploaded from their device's camera roll, or audio notes (collectively "Chat Media") to friends within the Snapchat app using the Chat feature. Users can Chat one-on-one or in groups. Please refer to this [Support Page](#) for more detailed information about retention of Chats. You can read more about how Snapchatters can save and delete chats on this [Support Page](#).

Location Data

If a user has device-level location services turned on and has opted into location services on Snapchat, Snap will collect location data from the device at various points during the user's use of Snapchat. Retention periods for location data may vary depending on the purpose of the collection. Users have some control over the deletion of their location data in the app settings. You can learn more about Snap's retention of location data on our [Privacy by Product page](#), specifically in the sections on Location and Snap Map.

IV. Identifying a Snapchat Account

Before sending Snap legal process seeking the preservation or disclosure of Snapchat account records (*i.e.*, Snapchat user data), law enforcement must first identify the username of the Snapchat account. *Note: a Snapchat account's username is often confused with an account's display name (sometimes also referred to as a "vanity name"). We cannot locate a Snapchat account by a display name.*

Snapchat Username

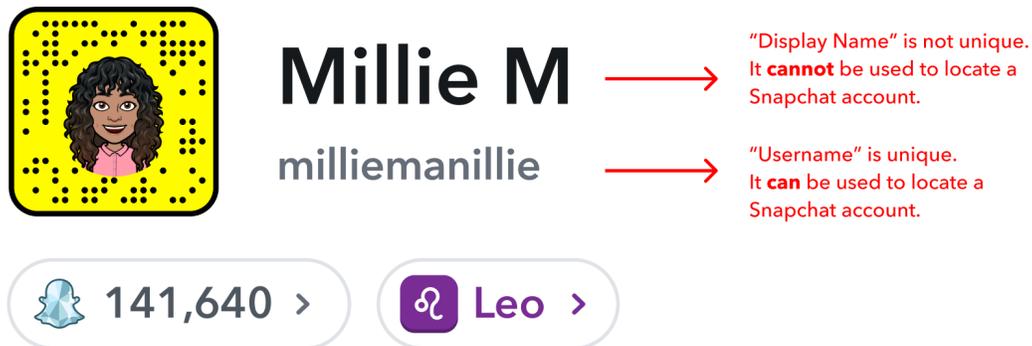
A Snapchat username is a unique identifier associated with a specific Snapchat account. Snapchat usernames may be changed by a user once every 365 days; usernames that are no longer in use may not be reassigned to another user. Please note that the decision of a user to change their username does not impact Snap's ability to preserve or disclose available user data pursuant to valid requests specifying either the former or the new username.

Snapchat username attributes:

- Must be 3-15 characters long
- Must begin with a letter
- Can only contain letters, numbers, and the special characters hyphen (-), underscore (_), and period (.)
- Cannot contain more than one of the above special characters
- Cannot end with a hyphen, underscore, or period
- Cannot contain spaces
- Cannot contain emojis or other symbols such as @, \$, #, etc.
- Will appear only in lower-case letters within the app

Unlike a username, a display name is not a unique identifier and it can be changed repeatedly by a Snapchatter, which changes how the display name appears to others within the app. Snapchatters can also change how friends' display names appear to them on Snapchat – *i.e.*, customizing the app by assigning a different display name to a friend – , similar to how one can customize contact names on a smartphone. Lastly, a display name can contain special characters and symbols beyond hyphen, underscore, or period, as well as spaces, emojis, and capital letters.

Example of Snapchat username and display name:



(A user's profile like the example above can be accessed in Snapchat by tapping on a user's profile image on the Chat screen or in Search.)

In the example above, the username is "milliemanillie," and the display name has been set to "Millie M," which appears above the username. Note that there can be only one Snapchatter with the username "milliemanillie" but there can be multiple Snapchatters with the display name "Millie M."

If a display name has not been created, one will not appear above the username.

If you are unsure if you have identified a valid Snapchat username, type the username into the Snapchat app "Search" screen to see if it appears. If the username does not appear, then the username does not exist or the account may have been deleted. *Note: some deleted Snapchat accounts may still have certain limited account records stored depending on various factors.*

If you are unable to identify a Snapchat username, we can try to locate a Snapchat account with a current phone number (including country code) or email address if that information was provided by the user for their account. Phone numbers and email addresses can easily be changed by users, so this information is not as reliable in identifying Snapchat users. Please also note that Snapchatters are not required to maintain a verified phone number or email address on their account.

Accounts may also be identified by the account's hexadecimal User ID. If specifying a User ID, please submit with the characters in the 8-4-4-4-12 format, which is how such identifiers appear in Snap's systems.

Note: We are unable to locate Snapchat accounts based on any of the following: Snapchat display name, real name, date of birth, street address, Social Security number, or similar identifiers, even if displayed as "profile information" or "profile media." Nor can we locate accounts based on content or other media, or geographic location of a user at a given time.

V. Required Legal Process

Sending Legal Process to Snap

As explained on page 1 under “Contact Information for Law Enforcement,” all law enforcement and governmental agencies who have access to Snap’s Law Enforcement Service Site (LESS: less.snapchat.com) should submit legal process and preservation requests through LESS.

Although we currently also accept service of legal process from law enforcement via email (from an official government email domain) to lawenforcement@snapchat.com, utilizing LESS will allow law enforcement to track submissions and may result in a quicker response time.

Legal Process Requirements Overview

Snap discloses Snapchat account records (*i.e.*, Snapchat user data) to law enforcement *on a non-emergency basis* only if we receive legal process that complies with legal requirements.

The legal process should: be submitted in a non-editable static file (such as PDF); name “Snap Inc.” as the Custodian of Records; and be signed and dated. To facilitate a response when requesting records regarding more than one Snapchat account (*e.g.*, multiple usernames), such requests should be contained in a single piece of legal process (*e.g.*, one subpoena). Snap may, at its discretion, also request an explanation from law enforcement justifying the number of accounts impacted by the legal process, if a single piece of legal process implicates numerous accounts.

Note: To facilitate the expedient and accurate handling of requests, if legal process seeks disclosure of records regarding more than 10 Snapchat accounts, please provide an additional copy of your request in an editable format (such as DOCX or TXT). Failure to provide an editable copy may delay our processing of the legal process.

When providing legal process requesting the disclosure of Snapchat account records, please specify the following:

- Snapchat username, email address, phone number, or hexadecimal User ID (see Section IV “Identifying a Snapchat Account” above)
 - *Note: Law enforcement must include the international calling code if specifying a non-U.S. phone number.*
- The specific type of data requested (see below)
- The target date range (“month/day/year to month/day/year”) and any applicable timezone
 - *Note: records disclosed by Snap are provided in Coordinated Universal Time (“UTC”).*

- Response contact information (including a governmental email address)
- If you object to us notifying affected Snapchatters and the reason for your objection (see Section II “Snap User Notice Policy” above)

The required legal process varies depending on the type of Snapchat account records you are requesting, as described below. Please also see Section VI below regarding preservation requests.

Basic Subscriber Information

Basic subscriber information is collected when a user creates a new Snapchat account or alters information at a later date, among other interactions with the Snapchat app. Basic subscriber information consists of the categories of information listed at 18 U.S.C. § 2703(c)(2), which for Snap may include:

- Current and previous Snapchat usernames
- Current and previous email addresses associated with the account, and whether verified by user
- Current and previous phone numbers associated with the account, and whether verified by user
- Current and previous Snapchat display names
- Snapchat account creation date and IP address
- Timestamp and IP address of Snapchat account logins, logouts, failed login attempts, and authentication events
- Certain information about the user’s use of Snapchat services and account settings

Note: Not all information listed above is required for a user to use the Snapchat app, and Snap does not independently verify user-provided subscriber information.

IP logs associated with Snapchat account logins, logouts, failed login attempts and authentication events are retained for a limited period of time both while an account is active and after deletion of a Snapchat account.

Legal process required for basic subscriber information: law enforcement can obtain basic subscriber information through a subpoena (including one issued by a grand jury); a court order issued in accordance with 18 U.S.C. § 2703(d); or a federal or state search warrant.

Communications Metadata

Logs may be available containing metadata about a user’s communications..

Legal process required for communications metadata: law enforcement can obtain communications metadata pursuant to a court order issued in accordance with 18 U.S.C. § 2703(d) or a federal or state search warrant.

Non-Communications Metadata

Metadata not related to communications, such as Friends List or device identifier information, may also be available. Logs regarding Memories metadata may also be available.

Legal process required for non-communications metadata: law enforcement can obtain non-communications metadata pursuant to a court order issued in accordance with 18 U.S.C. § 2703(d) or a federal or state search warrant.

Location Data

Location data may be available for a Snapchatter who has enabled location services on their device and opted into location services in the Snapchat app settings.

Currently, Snap can provide available geolocation data for an account as a whole, or with respect to Memories metadata. Snap cannot provide geolocation data specifically requesting location associated with Snap Map posts or communications.

Legal process required for location data: law enforcement can obtain location data, to the extent available, pursuant to a federal or state search warrant.

Content

As explained in Section III “How Snapchat Works” above, Snap’s servers are designed to automatically delete most user content by default, such as the content of communications, after a limited period of time, unless it is otherwise saved by a Snapchatter. An exception is the content contained within Memories which, when saved, may be available until deleted by a user. As noted earlier, content saved to the My Eyes Only section of Memories is encrypted, and cannot be decrypted by Snapchat.

Legal process required for content: law enforcement can obtain content, to the extent available, pursuant to a federal or state search warrant.

VI. Preservation Requests

A preservation is a snapshot in time of a user's available data, including available basic subscriber information, metadata, geolocation data, and content (e.g., Chats, Stories, and Memories). Because Snapchat user data is not typically retained for a long period, law enforcement may want to expeditiously request the preservation of relevant data as soon as possible after an alleged incident for which evidence is sought.

We honor formal requests from law enforcement to preserve information in accordance with 18 U.S.C. § 2703(f). Upon receiving such a request, we will attempt to preserve for the date range specified in the request any available Snapchat account records associated with any properly identified Snapchat user(s) (see Section IV "Identifying a Snapchat Account" above). We will maintain any such preserved records in an offline file for up to 90 days, and we will extend that preservation for one additional 90-day period with a formal extension request. If you require an extension, please submit a formal preservation extension request, indicating clearly that it is an extension request and not an original preservation request.

As a courtesy for non-U.S. law enforcement, Snap may, at its discretion, preserve available Snapchat account records for up to 365 days while the MLAT or letters rogatory process is undertaken. At its discretion, Snap may extend such a preservation for one additional 180-day period with a formal extension request.

Note: Since 18 U.S.C. § 2703(f) does not contemplate "serial" preservation requests or multiple extension requests beyond one additional 90-day period, we do not comply with such requests unless – in our sole discretion – we determine an exceptional circumstance exists.

VII. Emergency Disclosure Requests

U.S. and non-U.S. law enforcement officials seeking the emergency disclosure of Snapchat account records should complete and submit Snap's Law Enforcement Emergency Response Form via: <https://less.snapchat.com/emergency>.

Emergency disclosure requests must be submitted by a sworn law enforcement official and must come from an official law enforcement email domain. When submitting an emergency disclosure request, please provide the Snapchat username (see Section IV "Identifying a Snapchat Account" above) or hexadecimal User ID, associated phone number or email address; describe the nature of the emergency as specifically as possible; and specify the information that you are seeking to resolve the emergency situation and how the information will assist in addressing the emergency.

Consistent with 18 U.S.C. §§ 2702(b)(8) and 2702(c)(4), we are able to voluntarily disclose certain Snapchat account records without duly authorized legal process when we believe in good faith that an emergency posing a threat of imminent death or serious bodily injury requires the immediate disclosure of such records. As such, please be as specific as possible in describing the nature of the emergency and the way in which it relates to an imminent risk of death or serious bodily injury.

VIII. Testimony

Records disclosures made to U.S. law enforcement will be accompanied by a signed Certificate of Authenticity, which should eliminate the need for the testimony of a Custodian of Records. Should testimony for the purpose of records authentication nevertheless be sought for trial, Snap will require that any testimonial subpoena be properly domesticated and served as required by the Uniform Act to Secure the Attendance of a Witness from Without a State in Criminal Proceedings, Cal. Penal Code § 1334, *et seq.*

Snap may not be able to accommodate subpoenas for witness testimony served less than 21 days before testimony is required. To ensure a streamlined process and that we have adequate notice, we suggest that you provide a courtesy copy of the subpoena to us via LESS or lawenforcement@snapchat.com while you seek domestication. Please note that acceptance of this courtesy copy does not waive Snap's right to object on any applicable grounds.

Snap does not provide expert witness testimony or testimony outside the United States.

IX. Sample Language for Legal Process and Preservation Requests

This section provides tips and sample language that law enforcement may use to streamline requests for the disclosure or preservation of records. As a reminder, legal process and preservation requests must be addressed to "Snap Inc.," and sent from an official governmental email address or submitted via LESS.

Tips for Effective Identification of Accounts in Legal Process

- Identify the account by Username consistent with the Snapchat naming protocols described in Section IV above.
- Do not use ambiguous language such as "and/or" in identifying an account.
- Do not identify Snapchat usernames as associated to other identifiers, such as phone numbers and email addresses, unless you are certain that they are in fact associated.
- Do not provide extraneous information that Snap cannot use to locate an account (*i.e.*, ip address, date of birth, given name etc.).
- Ensure that fonts have clearly distinguishable letters and numbers (for example, avoid Times New Roman in which a lower case L (l) is virtually indistinguishable from the number one (1)).
- Always provide a country code for non-U.S. phone numbers when specifying a target phone number.
- It's best to avoid a date format that is ambiguous MM/DD/YYYY or DD/MM/YYYY. It will save time if you instead spell out the month.

Sample Language to Request Basic Subscriber Information

"Basic subscriber information for the Snapchat username(s) _____ between month day, year and month day, year, including, the email address, phone number, account creation date, and available IP logs."

Sample Language to Request Logs of Previous Communications

"Logs, including sender, recipient, date, and time, concerning the communications sent to and from the Snapchat username(s) _____ between month day, year and month day, year. "

Sample Preservation Request Letter

[DATE]

Dear Snap Inc. Custodian of Records:

The below listed account(s) is(are) the subject of an ongoing criminal investigation at this agency, and it is requested pursuant to 18 U.S.C. § 2703(f) that records associated with said account(s) be preserved pending the issuance of a search warrant or other legal process seeking disclosure of such information:

[Specify Snapchat username(s), or associated email address(es), phone number(s), or hexadecimal User ID, to be preserved (See Section IV, above). Specify also the requested date range for data preservation.]

I understand that Snap Inc. reserves the right to delete any account that violates its Terms of Service.

If you have any questions concerning this request please contact me at *[insert email address and phone contact]*.

Sincerely,

(Your Signature)

(Your Name and Title Typed)