



Snapchat Law Enforcement Guide

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Download the most recent version at: <https://www.snapchat.com/lawenforcement>

Mailing Address:

Custodian of Records
Snap Inc.
63 Market Street
Venice, CA 90291

Law Enforcement Email for all General Inquiries and to Send Legal Process:

lawenforcement@snapchat.com

Law Enforcement Emergency Phone: +1 310-684-3062

Note: This number is only for use by sworn law enforcement officials requiring emergency assistance with a threat of imminent death or bodily injury. All other inquiries from law enforcement must be directed to the email address above.

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I. Snapchat and Law Enforcement

Snapchat is a mobile application made by Snap Inc. and available through the iPhone App Store and Google Play. The application provides a way to share moments with photos, videos, and text.

This guide provides information for domestic U.S. governmental and law enforcement agencies. International governmental and law enforcement agencies must rely on the mechanics of the Mutual Legal Assistance Treaty (“MLAT”) or letters rogatory to seek user information from Snap Inc.. We may provide this guide to international agencies to help them understand how Snapchat works, but the legal-process provisions apply only to U.S. agencies. This guide is not intended for private-party requests, such as civil litigants and criminal defendants.

Snap Inc. is committed to assisting law enforcement investigations as the law requires. That is why we provide not only this guide but also email support to law enforcement agencies for non-emergency inquiries, as well as phone assistance for emergency situations involving the threat of imminent death or bodily injury. Contact information for our Law Enforcement Operations team is listed on the cover of this guide.

For the most part, our ability to disclose user information is governed by the Electronic Communications Privacy Act, 18 U.S.C. § 2701, et seq. (“ECPA”). ECPA mandates that we disclose certain user information to law enforcement only in response to specific types of legal process, including subpoenas, court orders, and search warrants. Generally speaking, ECPA authorizes law enforcement to compel us to disclose basic subscriber information, non-content account information, and account content (*definitions provided in Section V of this guide*) in response to appropriate legal process.

It is important to recognize that we cannot provide legal advice to law enforcement officials. So if you need further clarification about ECPA’s restrictions on providers like Snap Inc., we suggest that you contact the Department of Justice’s Computer Crime and Intellectual Property Section (CCIPS) at 202-514-1026 and ask to speak to the Duty Attorney.

II. Our User Notice Policy

It is our policy to notify Snapchat users when we receive legal process seeking their records, information, or content. We recognize two exceptions to this policy. First, 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. Second, where we, in our sole discretion, believe an exceptional circumstance exists, such as cases involving child exploitation or the threat of imminent death or bodily injury, we reserve the right to forgo user notice.

When sending legal process that seeks user records, information, or content, please do one of the following:

1) Let us know that you have no objection to us notifying any affected users of your legal process. **Note:** Barring a requirement to the contrary, we will allow any affected users seven days to challenge the legal process in court and to provide us a file-stamped copy of the challenge before we respond to your legal process;

2) Provide a court order consistent with 18 U.S.C. § 2705(b) that prohibits us from providing notice to any affected users;

3) Provide an appropriate legal basis for prohibiting us from providing notice to any affected users; or

4) Inform us that your case involves child exploitation, or the threat of imminent death or bodily injury, and provide an appropriate legal and factual basis for us to independently make this determination.

III. How Snapchat Works

Note: More information about how Snapchat works can be found on the Snapchat Support Site, available at <https://support.snapchat.com/>

Snaps

A user takes a photo or video using their camera phone in real-time and then selects which of their friends to send the message to. Unless the

sender or recipient opts to save the photo or video, the message will be deleted from their devices (after the content is sent in the case of the sender and after it's opened in the case of the recipient). Users are able to save a photo or video they've taken locally to their device or to Memories, which is Snapchat's cloud-storage service.

Stories

A user can add photo or video Snaps to their "Story." Depending on the user's privacy settings, the photos and videos added to a Story can be viewed by either all Snapchatters or just the user's friends for up to 24 hours. Stories can also be saved in Memories.

Memories

Memories is Snapchat's cloud-storage service. Users can save their sent or unsent Snaps, posted Stories, and photos and videos from their phone's photo gallery in Memories. A user can also edit and send Snaps and create Stories from these Memories. Snaps, Stories, and other photos and videos saved in Memories are backed up by us and may remain in Memories until deleted by the user.

Chat

A user can also type messages, send photos, videos, audio notes, and video notes to friends within the Snapchat app using the Chat feature. A user sends a Chat message to a friend, and once it is viewed by both parties – and both parties swipe away from the Chat screen – the message will be cleared. Within the Snapchat app itself, a user can opt to save part of the Chat by tapping on the message that they want to keep. The user can clear the message by tapping it again.

IV. Locating a Snapchat Account

Before sending us a legal request, you must first identify the username of the account. If you are unable to locate a username, we can try—with varying degrees of success—to locate the account with a phone number or email address

Note: We are unable to locate Snapchat accounts based on real name, date of birth, street address, Social Security number, Snapchat vanity name (see below), or similar identifiers.

Snapchat usernames:

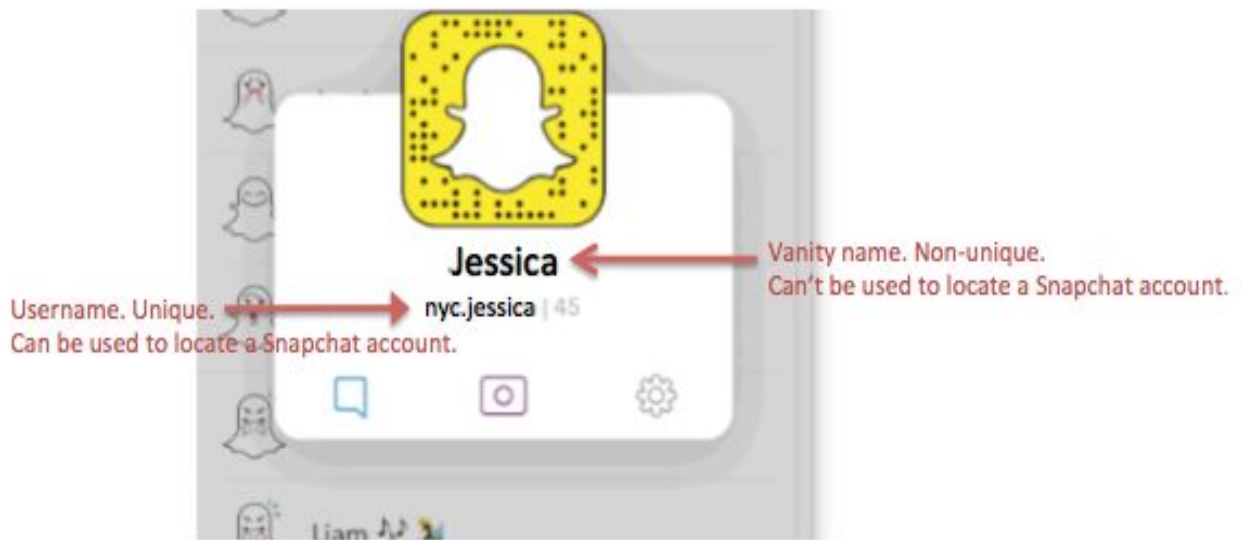
- Must be 3-15 characters long
- Can't contain spaces
- Must begin with a letter
- Can only contain letters, numbers, and the special characters hyphen (-), underscore (_), and period (.), EXCEPT that the username:
 - Can't begin with a number, hyphen, underscore, or period
 - Can't end with a hyphen, underscore, or period
- Can't contain emojis or other symbols such as @, \$, #, etc.
- Will appear only in lower-case letters within the app

Snapchat username vs. vanity name

A Snapchat username is a unique identifier associated with a specific user on Snapchat, and cannot be changed by the user. On the other hand, a Snapchat vanity name is not a unique identifier and can be set and changed by a user or that user's friends to indicate how the user will appear within the app.

Unlike a username, a vanity 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 vanity name:



(This popup is accessed by 'long-pressing' on a user identifier within Snapchat)

In the example above, the username is “nyc.jessica” and their vanity name has been set to “Jessica”, which appears above the username. Note that there can be only one Snapchat user with the username “nyc.jessica,” but any number of users with the vanity name “Jessica.”

It's possible that the vanity name and username could be the same, but there will still be only one user with the specific username. If a vanity name has not been set, the username will appear on its own.

As previously noted, we are unable to locate Snapchat accounts based on vanity name.

V. User Records We Maintain and the Legal Process Required to Obtain Those Records

Note: Please send all law enforcement criminal legal process and preservation requests via email to lawenforcement@snapchat.com

We can release user records on a non-emergency basis only if we receive legal process that fully complies with ECPA. The required legal process varies depending on the type of user information you seek:

a. Basic Subscriber Information

Basic subscriber information is collected when a user creates a new Snapchat account, alters information at a later date, or otherwise interacts with the Service. Please note that not all listed information is required, and that user-provided subscriber information is not always independently verified by us. Basic subscriber information may include:

- Snapchat username
- Email address
- Phone number
- Snapchat user vanity name
- Snapchat account creation date and IP address
- Timestamp and IP address of account logins and logouts

Process required for basic subscriber information: This information can be obtained through a subpoena (including one issued by a grand jury), administrative subpoena, or civil investigative demand pursuant to 18 U.S.C. § 2703(c)(2); a court order issued in accordance with 18 U.S.C. § 2703(d); or a federal or state search warrant.

b. Logs of Previous Snaps, Stories, and Chats

Snapchat retains logs for the last 31 days of Snaps sent and received, for 24 hours of posted Stories, and for any unopened Chats or those saved by a sender or recipient. The logs contain

meta-data about the Snaps, Stories, and Chats, but not the content.

Process required for logs of previous Snaps, Stories, and Chats: This information is available pursuant to a court order under 18 U.S.C. § 2703(d) or a federal or state search warrant.

c. Content

In certain limited circumstances it may be possible for us to retrieve the content of sent Snaps. The reason we often will not be able to retrieve Snap content is that we delete each Snap from our servers once all recipients have viewed it. And even when a Snap remains unopened, it will be deleted 30 days after it was sent.

Story content may be available for up to 24 hours, or until deleted by a user.

Chat content will be available only if the sender or recipient chooses to save the Chat, or if the Chat is unopened. Even when a Chat remains unopened, it will be deleted 30 days after it was sent.

Memories content may be available until deleted by a user.

Process required for message content: A federal or state search warrant is required for requests that include message content.

d. International Governmental and Law Enforcement Requests

International governmental and law enforcement agencies must use MLAT or letters rogatory processes to seek user information from us. As a courtesy to international law enforcement, we will review and respond to properly submitted (see Section VI., below) preservation requests while the MLAT or letters rogatory process is undertaken.

When providing us with legal process for user records, please provide the following details: the Snapchat username (see section IV, above) of the account you seek information from, the type of information you are

seeking, whether the results must be returned before a specific date, and where the results should be returned (preferably an email address, or if not, then a non-P.O. box physical address). As a reminder, it is our policy to notify our users of legal process, as outlined in Section II of this guide.

We accept and prefer service of law enforcement criminal legal process and preservation requests via email at *lawenforcement@snapchat.com*. We will also accept service of criminal legal process from law enforcement by U.S. mail, and overnight courier services (at the address provided on the cover of this guide). We do not utilize fax service and are unable to accept service of criminal legal process by fax. Snapchat may produce documents in response to out-of-state, domestic criminal legal process from law enforcement.

VI. Preservation Requests

We honor formal requests from law enforcement to preserve information in accordance with 18 U.S.C. § 2703(f). Upon receiving a signed and dated preservation request on law enforcement department letterhead, we will attempt to preserve available account information associated with any properly identified Snapchat user(s) (see Section IV, above) in an offline file for up to 90 days and will extend the preservation for one additional 90-day period with a formal extension request.

Note: 18 U.S.C. § 2703(f) does not contemplate ‘serial’ preservation requests or multiple extension requests beyond one additional 90-day period. Accordingly, we do not comply with such requests.

VII. Emergency Requests

Under 18 U.S.C. §§ 2702(b)(8) and 2702(c)(4), we are able to voluntarily disclose information when we believe in good faith that an emergency posing a threat of imminent death or serious bodily injury requires the immediate disclosure of this information.

During non-holiday business hours (Monday to Friday, 9am – 5pm PT), sworn law enforcement officials may request user records on an emergency basis by sending a completed Emergency Disclosure

Request Form (see Section IX (d), below) via email to lawenforcement@snapchat.com or by calling 310-684-3062. During non-business hours, sworn law enforcement officials may call 310-684-3062. **Note:** *This number is only for use by sworn law enforcement officials requiring emergency assistance with a threat of imminent death or bodily injury.* All other law enforcement questions or general inquiries must be sent to lawenforcement@snapchat.com.

All emergency requests must be signed by a sworn law enforcement official and must come from an official law enforcement email domain. When drafting an emergency disclosure request, please provide the Snapchat username or associated phone number or email address (see Section IV, above), describe the nature of the emergency as specifically as possible, and specify the information that you are seeking to resolve the emergency situation.

VIII. Our Retention Periods

We retain different types of user information for different periods of time. We honor valid, formal law enforcement preservation requests made during the period the requested user information is available.

Basic Subscriber Information: The basic subscriber information entered by a user in creating an account is maintained as long as the user has not edited the information or removed the information from the account. Once the user makes a change, the previously existing information is overwritten. Upon receipt of a preservation request, however, we can attempt to capture the user information available at that time; and future actions by the user will not affect the preserved user information. We also retain logs containing IP addresses associated with account login and logout for a limited period of time after the user has deleted their Snapchat account.

Log Information: We retain logs of the previous 31-days of Snaps and may, under certain limited circumstances, store the content of users' unopened Snaps, as well as unexpired Story posts, unopened or saved Chats, and Memories (see the previous discussion of content in Section V.c.)

IX. Sample Language and Forms

This section provides sample language that law enforcement may use to complete their request for basic subscriber information, logs of previous Snaps, or preservation of a Snapchat account.

a. Sample Language for Basic Subscriber Information:

“Basic subscriber information for the Snapchat account associated with the username _____ consisting of the email address, phone number, account creation date, and timestamps and IP address for account logins/logouts.”

b. Sample Language for Logs of Previous Snaps

“Logs, including sender, recipient, date, and time, concerning the previous Snaps sent to or from the Snapchat account with the username _____.”

c. Sample Preservation Request Letter

(Must be on law enforcement department letterhead, dated, signed, and sent from an official governmental email address)

Dear 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 account username(s) or associated email address(es) or phone number(s) to be preserved (See Section IV, above)].

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 e-mail address and phone contact]*

Sincerely,

(Your Signature)
(Your Name and Title Typed)

d. Sample Emergency Disclosure Form

(Must be on law enforcement department letterhead and sent from an official governmental email domain)

Dear Custodian of Records:

I request release of records for the Snapchat account associated with _____(username, email address, or phone number) on an emergency basis pursuant to 18 U.S.C. § 2702(b)(8) and § 2702(c)(4).

I have provided below answers to the following questions in enough detail as I am able in order to provide a good-faith basis for releasing records on an emergency basis:

- What is the nature of the emergency and why does it pose a threat of imminent death or serious bodily injury that would justify immediately disclosing the requested information rather than relying on standard legal process?
- Whose death or serious bodily injury is imminently threatened?
- What specific information in our possession related to the emergency are you requesting?

Signature of Sworn Officer

Printed Name and Title of Sworn Officer

Agency

Date

X. Testimony

Snapchat does not provide expert witness testimony. But data productions made to law enforcement will be accompanied by a signed Certificate of Authenticity, which should eliminate the need for the testimony of a Custodian of Records.