

Reproductive Rights and Data Privacy

WHEREAS: Following revocation of the constitutional right to an abortion in June 2022, policymakers are concerned about the use of personal digital data for the enforcement of state laws that ban or restrict abortion access. As one of the nation's largest technology companies, these developments could have a significant impact on Alphabet's subsidiary, Google, which has been described by tech watchdogs as "the cornerstone of American policing" with respect to government digital data requests.¹

Law enforcement data demands may seek evidence of consumer acts concerning their reproductive health that were legal in the state where they occurred, but illegal in the consumer's state of residence. Although Google pledged to protect abortion-related data,² research shows that the Company still retains location search query by default and location history data for certain users.³

Law enforcement may access this consumer data via keyword or geofence warrants. Keyword warrants seek information on users who have searched specific terms on Google.com. Geofence warrants seek information about devices that crossed into a defined area, such as an abortion clinic, during a designated time. *Politico* reported that Google "received 5,764 geofence warrants between 2018 and 2020 from police in the 10 states that have banned abortion as of July 5[, 2022]."⁴

Experts on reproductive rights and privacy have also "documented how police and prosecutors wield laws and data" to camouflage abortion-related criminal charges in their data demands.⁵ In 2021 alone, Google received 97,735 U.S.-based government requests,⁶ most of which involved criminal matters.⁷ The Company at least partially complied with about 83 percent of those requests. Google stressed that even with the Company's careful scrutiny of law enforcement data demands, consumers involved in abortion-related acts may still be exposed to criminal prosecutions.

Over 650 Google employees have already petitioned Alphabet top executives to safeguard people's abortion-related search and location data.⁸ To protect consumers as well as the Company's reputation, Alphabet should decrease the potentially personal sensitive information it collects and retains from users.

RESOLVED: Shareholders request that the Board issue a public report assessing the feasibility of reducing the risks of abortion-related law enforcement requests by expanding consumer privacy protections and controls over sensitive personal data. The report should be produced at reasonable expense, exclude proprietary or privileged information, and published within one year of the annual meeting.

SUPPORTING STATEMENT: Shareholders recommend that the Board receive input from reproductive rights and civil liberties organizations, and that the report include, at board and management discretion:

- (1) An assessment of the feasibility of a default policy wherein all Google searches related to reproductive health are automatically deleted from a user's history; and,
- (2) A statement explaining how the Company will fully satisfy its stated policy of protecting users' abortion-related location data.

¹ <https://www.npr.org/2022/07/11/1110391316/google-data-abortion-prosecutions>

² <https://blog.google/technology/safety-security/protecting-peoples-privacy-on-health-topics/>

³ <https://accountabletech.org/research/googles-data-collection-and-policies-could-endanger-those-seeking-abortions/>

⁴ <https://www.politico.com/news/2022/07/18/google-data-states-track-abortions-00045906>

⁵ <https://www.latimes.com/opinion/story/2022-08-23/facebook-abortion-data-privacy-nebraska>

⁶ https://transparencyreport.google.com/user-data/overview?user_requests_report_period=authority:US

⁷ <https://support.google.com/transparencyreport/answer/9713961?hl=en#zippy=%2Cif-google-receives-a-request-for-user-information-will-google-tell-the-account-holder-about-it%2Cchow-does-google-handle-government-requests-for-user-information%2Cwhat-is-a-government-request-for-user-information>

⁸ <https://twitter.com/AlphabetWorkers/status/1560253968889966593>