



**The Testimony of
The National Network to End Domestic Violence
with the Vermont Network Against Domestic & Sexual Violence**

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**April 4, 2017
State of Vermont House of Representatives
House Committee on Commerce and Economic Development
Hearing on H. 467 - An act relating to the regulation of data brokers**

Good morning members of the committee. Thank you for inviting me to testify about the importance of data privacy for victims of domestic violence, sexual assault, and stalking. My name is Erica Olsen and I am the Director of the Safety Net Project at the National Network to End Domestic Violence. I am also representing our member, the Vermont Network Against Domestic and Sexual Violence.

The Safety Net Project was founded in 2002 and focuses on the intersection of technology, privacy, and safety for survivors of abuse. We assist service providers, law enforcement, attorneys, and other professionals who work with victims, and provide guidance to technology companies to address the many ways technology may impact the safety and privacy of survivors.

In a 2014 survey conducted by Safety Net, 97 percent of domestic violence programs reported that the survivors they are working with experience harassment, monitoring, and threats by abusers through the misuse of technology. Abusers and stalkers will use all available information and tools to locate, monitor, and harass victims. Data brokers and the personal information they sell is undoubtedly one of the common tools misused as a tactic of abuse. This is not a new strategy. In 1999, Liam Youens paid Docusearch, an information broker, less than \$200 to obtain Amy Boyer's date of birth, social security number, and place of employment. After getting this information, he drove to her workplace, shot and killed her, and then killed himself. Amy Boyer's mother sued Docusearch and the company settled out of court in 2004.¹

Over the past decade, data brokers have grown significantly, both in number and in the scope of information they collect and sell. This has made fleeing and relocating increasingly difficult for survivors as perpetrators pay nominal fees to obtain sensitive and personal information that allows them to stalk and locate victims, as well as the victim's children or family. Data brokers use information from both public records and private sources to collect address histories, motor vehicle records, voter registration lists, consumer purchase histories, web browsing activity, and content shared in social media accounts, among other information. When compiled, data brokers are able to package and sell comprehensive and detailed personal information about individuals. For victims of abuse, whose privacy is deeply connected to their safety, this information can create a risk of them being located, harassed, assaulted, or killed. Survivors often live in fear that they will be found, and the statistics show the reality of their concerns. The most dangerous time for a victim of domestic violence is when she or he takes steps to leave the

¹Ramer, Holly. "Murdered woman's mother settles suit." The Union Leader (Manchester NH) March 11, 2004, State Edition: Pg. A1.

relationship.² Nationally, 1 in 6 women and 1 in 19 men will experience stalking in their lifetime.³ In Vermont, the “Vermont Judiciary Annual Statistical Report for FY 2015” revealed that requests for civil protection orders (against Stalking and Sexual Assault) remained fairly constant over the previous five years, averaging 700 filings annually. Because so many of these requests were so frequently denied, the legislature passed revisions to the definition of stalking in 2016 which updated statutory language to include the use of technology as a tool to harass and intimidate victims.

Because perpetrators use various strategies to track victims, including misusing the information gained from data brokers, survivors often take difficult and desperate steps to hide their location, sometimes even changing their identities to avoid being found. This extreme measure not only comes with an array of challenges, but can also be undermined by the mass data collection efforts of these services. The fact that such sensitive information, such as their location, can be revealed without their knowledge or obtained by someone who poses a danger to them is a terrifying reality.

The marketing strategies of many data broker companies don’t even attempt to hide the reasons why their services are used, but instead clearly suggest their products as a way to spy, stalk, monitor, and track a spouse. “Is she cheating?” is a common question posed on the sites, followed by promises to provide social media activity, photos, locations, and more with only a name, email address, or username needed to start. Testimonies posted online by companies display comments from happy customers, some who mention finally being able to find an old fling. For victims of abuse and stalking, this is a not a good thing.

In our work, victims, service providers, attorneys, and law enforcement regularly contact us about cases where safety is a concern due to identifying information being sold with abandon. The harm, fear, and physical danger caused by the selling of personal information is very real. Abusers regularly use the availability of data as a control mechanism – boasting about the information they can find and access and threatening that they will always be able to find the victim. Perpetrators and abusers are well aware of the frightening control these services can give them and victims are often left feeling powerless. Many data broker sites do not offer any option for opting out or removing your personal data, and when they do the information is so buried it’s difficult to find or follow. Some sites may also charge hefty fees to remove information, only to put it back later; adding a significant financial burden on survivors. In addition, these services can also negatively impact professionals working with survivors. For example, there have been data brokers who have sold lists of confidential domestic violence shelter locations and the home addresses of law enforcement officers.

NNEDV supports innovation and has seen countless positive uses of technology to decrease isolation and increase safety of survivors. Regulating data brokers who are specifically scouring offline and online sources to collect and then sell personal information about people without their consent is a reasonable step towards increasing privacy and not something that will negatively impact innovation or positive uses of technology. We believe that survivors have a right to control their own information and live free of harassment and abuse and we support steps to increase privacy and control of personal data.

Thank you to the members of the committee for hearing this testimony and for your support of survivors. NNEDV and the Vermont Network are both available for any assistance on this.

² Ronet Bachman and Linda Salzman, Bureau of Justice Statistics, *Violence Against Women: Estimates From the Redesigned Survey* (January 2000).

³ Katrina Baum et al., “Stalking Victimization in the United States,” (Washington DC: Bureau of Justice Statistics, 2009).