



AOL Inc. Law Enforcement Manual

AOL Inc.

Public Safety & Criminal Investigations
22000 AOL Way
Dulles, VA 20166

Or
Fax

After Hours Emergencies:
(M-F 6:00 PM – 9:00 AM and Sat & Sun)

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MAPQUEST.



Please Direct Legal Process for Any of AOL's Brands to:

In the United States:

AOL Inc. Legal Department
Public Safety & Criminal Investigations
22000 AOL Way
Dulles, VA 20166
Attn: Custodian of Records

(fax)

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In Canada:

AOL Canada Inc.
55 St. Clair Avenue West
7th Floor
Toronto, ON M4V 2Y7

(fax)

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Sample Subpoena Language

18 U.S.C. § 2703(c)(2)

Searches by Name or Screen Name:

The broadest possible language will *not* be workable for persons with relatively common names, since a firstname lastname combination could yield dozens or hundreds of different AOL account holders, and many if not most of those accounts would identify persons entirely unrelated to the investigation. At least one additional parameter, such as a physical address, telephone number, or credit card number & type, must be included for AOL to locate the screen name.

For the account of _____ (firstname) (lastname) _____ using AOL and/or AIM screen name _____ (screen name) _____, and for any other screen names associated with this account, and for all other accounts and screen names associated with _____ (firstname) (lastname) _____, residing at _____ (complete physical address or other additional identifying data) _____, the following records maintained by AOL Inc. ("AOL") for each account:

All subscriber information, including:

- a. names, email addresses, and screen names;
- b. addresses;
- c. detailed billing records or records of session times and durations;
- d. length of service (including start date) and types of service utilized;
- e. telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and
- f. the means and source of payment for such service (including any credit card or bank account number).

Searches by IP Address:

If you have only an IP address that appears to be an AOL Member IP or "IPT," or an AOL Proxy IP, and you need subscriber information for the corresponding screen name, in place of the first paragraph above you must include the following instead:

IP Address: _____

Exact Date: _____

Exact Time: _____

Time Zone: _____

(Proxy IPs Only) **Complete** headers of the email message sent during the proxy session; or
The **entire** URL of the Web page visited, including **all** fields after .com, .org, .net, etc.:

Subpoena Format Requirements

For any subpoenas with more than 10 screen names

Do's

- Save it on the following media: **two** (2) CD-Roms
- Save the file as a plain text file
- Include *only* the list of screen names
- Include only *one* screen name per line
- Single-spaced lines
- List all screen names on the subpoena (or on an attachment incorporated by reference)
- Provide contact information (name, phone number, and mailing address, but *not* a Post Office box) to which AOL's response should be delivered (Do not include this on this disk)

Do Not's

- Put spaces between characters in screen names
- Include @aol.com or any other domain name after a screen name
- Include screen names containing extraneous characters such as -, *, #, + (screen names can only be alphanumeric)
- Include a letter or copy of the subpoena on the disk
- Include screen names that begin with a number (AOL screen names never begin with a number)
- Number the list

This is how the information on your disk should appear:

John388Doe
JaneDoe388
Johndoe388

Please mail both CDs, and a copy of the subpoena to:

AOL Inc. Legal Department
Public Safety & Criminal Investigations
22000 AOL Way
Dulles, VA 20166

If we have provided you with an AOL Legal file #, please include it with your subpoena.

AOL Legal File # _____ - _____ - _____

*The screen names used in the above example are fictitious.

Sample Search Warrant Language

18 U.S.C. § 2703(a)

ATTACHMENT A

Provide the following information as printouts, or on compact disc or DVD:

For the account of _____ (firstname) (lastname) _____ at _____ (physical address, if known) _____ using AOL and/or AIM screen name _____ (screen name) _____,

[*add, if there is probable cause:*]

"and for any other screen names associated with this account,"

[*add, if there is probable cause:*]

"and for all other accounts and screen names associated with _____ (firstname) (lastname) _____"

the following records maintained by AOL Inc. ("AOL") for each account:

1. All subscriber information, including:
 - a. names, email addresses, and screen names;
 - b. addresses;
 - c. detailed billing records or records of session times and durations;
 - d. length of service (including start date) and types of service utilized;
 - e. telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and
 - f. the means and source of payment for such service (including any credit card or bank account number).

2. For the period of _____ (date) _____ to the date this warrant is acted upon by AOL, all transactional information, including:
 - a. logs of Internet Protocol ("IP") address connections, including dates, times, and time zones, and any ANI information made available to AOL;
 - b. address books;
 - c. buddy lists; and
 - d. account history, including contacts with AOL support services and records of actions taken online by the subscriber or by AOL support staff in connection with the service.

3. For the period of _____ (date) _____ to the date this warrant is acted upon by AOL, the contents of electronic or wire communications held in accounts of the persons assigned the screen names identified in paragraph 1, including:
 - a. all electronic or wire communications (including e-mail text, attachments, and embedded files) in electronic storage by AOL, or held by AOL as a remote computing service, within the meaning of the Stored Communications Act;
 - b. all, photos, files, data, or information in whatever form and by whatever means they have been created or stored
 - c. all profiles.

Serving Search Warrants in the United States

Federal & Military

Federal and military search warrants may be faxed to

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State or Local Agencies

Except as noted below, when the search warrant calls for producing AOL email or other content (see paragraph 3 of the Sample Search Warrant Language), state or local agencies must domesticate warrants through Loudoun County, Virginia, so that they may be issued by the Loudoun County Circuit Court.

Please contact the Loudoun County Sheriff's Office at (703) 777-0493 for details. Sheriff's Investigator is currently assigned to process these search warrants.

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Search warrants that do not call for producing content, but only subscriber information or transactional records (see paragraphs 1 and 2 of the Sample Search Warrant Language), may be faxed directly to AOL's Legal Department at

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California

Pursuant to California Penal Code § 1524.2, AOL accepts California search warrants by fax to

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Florida

Pursuant to Florida Statute § 92.605, AOL accepts Florida search warrants by fax to

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Minnesota

Pursuant to Minnesota Statute § 626.18, AOL accepts Minnesota search warrants by fax to

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State of Washington

Pursuant to 2008 Wa. Ch. 21, AOL accepts Washington search warrants by fax to

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New York

New York search warrants may be faxed to

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Sample Preservation Request

18 U.S.C. § 2703(f)

(Your Agency Letterhead)

(Date)

Via Facsimile to

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AOL Inc. Legal Department
Public Safety & Criminal Investigations
22000 AOL Way
Dulles, VA 20166

Re: Preservation Request

I am writing to request the preservation of records for the following account, pending the issuance of legal process:

Name: John X. Doe
Address: 1234 Any Street, Anytown, USA 12345
Telephone: (123) 456-7890

Screen Names: John388Doe, JaneDoe388, JohnDoe388

AOL Account #: _____

Credit Card # & Type: _____
{ or }

IP Address: _____

Exact Date: _____

Exact Time: _____

Time Zone: _____

(Proxy IPs Only) **Complete** headers of the email message sent during the proxy session; _____ or

The **entire** URL of the Web page visited, including **all** fields after .com, .org, .net, etc.: _____

You are requested to preserve, for a period of 90 days, the records described below currently in your possession for this account. You are also requested not to disclose the existence of this request to the subscriber or any other person, other than as necessary to comply with this request.

Sample Preservation Request

18 U.S.C. § 2703(f)

(cont'd)

This request applies only retrospectively. It does not in any way obligate you to capture and preserve new information that arises after the date of this request.

This preservation request applies to the following records:

{ *See Sample Search Warrant for Comprehensive List* }

If you have any questions concerning this request, please contact me at

_____.

Signature
Printed Name / Date

Preservation Requests for IP Connection Logs

The above letter may be used to request preservation of IP connection logs for specific accounts across a range of dates, or to pinpoint an IP address on a specific date, time, and time zone, or to preserve the last known IP login on a given account as of the specific date of the preservation request.

A court order issued under 18 U.S.C. § 2703(d) is required to compel disclosure of a range of IP connection logs.

Emergency Voluntary Disclosures

18 U.S.C. § 2702(b)(8)

18 U.S.C. § 2702(c)(4)

The Stored Communications Act permits an Internet service provider to disclose the contents of electronic or wire communications or customer records to law enforcement "if the provider, in good faith, believes that an emergency involving danger of death or serious physical injury to any person requires disclosure without delay of communications [or records] relating to the emergency."

In the event of an emergency, please telephone AOl's Public Safety and Criminal Investigations unit at [redacted] and [redacted] and provide us with specific facts concerning the emergency that you believe requires immediate disclosure of communications or records relating to the emergency.

The specific facts should include:

- Description of the emergency, including facts demonstrating the danger of death or serious physical injury;
- Explanation that the danger is imminent, and that a subpoena, court order, or search warrant cannot be obtained in time; and
- What specific records or communications you seek from AOL that relate to the emergency.

Authorization and Consent to Release Records

To Accompany Law Enforcement Requests Only

I, _____, am the primary account holder of one or more accounts with AOL Inc. ("AOL") bearing the screen names:

I hereby grant my consent authorizing _____ to receive, review, copy and otherwise utilize, as that person or organization deems appropriate, all records of any kind provided by AOL relative to my account(s), including any alternate screen names or subaccounts.

I hereby authorize AOL to provide to that person or organization the following records relative to my account(s), including any alternate screen names or subaccounts:

Please check records being requested:

- Basic subscriber info*
- IP connection logs & ANI info
- Buddy lists
- AOL address book
- Member profile
- Content of electronic mail
- Other _____

* including but not limited to name, address, phone numbers, screen names, records of session dates & times, start & end dates of service, account balance, credit card or bank account number

Pursuant to this Authorization and Consent, I hereby agree to hold harmless and do forever hold harmless AOL for the disclosure of such records and do forever waive, on my behalf and on behalf of all my heirs or assigns, any and all claims arising, in whole or in part, out of AOL's disclosure of records relative to my account(s) pursuant to this Authorization and Consent.

I hereby indemnify AOL against any and all claims or causes of action arising, in whole or in part, out of AOL's disclosure of records relative to my account(s) pursuant to this Authorization and Consent.

Member Signature & Printed Name

Date

Witness Signature & Printed Name

Date

*****AOL will release content only for the primary master screen name for a paid or formerly paid account at the written request/consent of the subscriber.*****

BEBO Searches

Bebo searches can be accurately performed only when supplied with the member's profile id number. While we can search on email addresses and user names, these search parameters can be changed by the member and may not return accurate results.

Bebo stores the profile, registration data, account histories, IP connection logs for the past 500 days, lists of friends and groups and photos posted by the member.

Email content is available, however, when the mail is pulled any unread mail will appear as "read". Bebo mail is retained until deleted by the member or upon termination of the profile.

Domestic requests for Bebo may be faxed to

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