

June 14th PAO Q&A

Hosted By: Facebook Content Policy Team SME's for Privacy

Updates:

On May 26, 2021 Facebook updated its Privacy and Image Privacy Rights policies in our internal reference guide called 'Known Questions.' At the time of the PAO submission, our OBL team provided confidential policy information that was relevant at the time. Moving forward, please reference the updated policy below.

The policy update itself will NOT be publicly available until June 23, 2021. Until then, the language in the publically available Community Standards and the internally available Implementation Standards will have slight variations. The update will be reflected in the updated Implementation Standards, that will be shared with members of the OSB Staff and Board on June 25th.

Our policy team will cover this during the first 10 minutes of the Q&A before opening for questions.



Updated Policy - May 26, 2021

U1. What do we mean by “publicly available” information available through legitimate sources?

- Information published by at least five news outlets
- Financial records or statements of an organization that are published by the organization itself
- Court records (e.g., case indexes, tax liens and judgments, bankruptcy files, and transcripts) unless filed under seal (look for an “under seal” stamp or the equivalent to make this determination)
- Information from professional and business licenses
- Information from sex offender registries
- Information from press releases from governments, government agencies, or law enforcement

NOTE: If information from multiple legitimate public sources is aggregated on our platform, do not consider it “publicly available” for purposes of our policy. For example, if a person's name is found in one legitimate news source and her bank statements are found in another legitimate news source, this is still protected if the name and bank statements are posted together on our platform.

U2. What is not a legitimate source of “publicly available” information?

- Data broker websites, such as spokeo.com, whitepages.com, pipl.com, beenverified.com, instantcheckmate.com, and reverse phone number lookup websites
- Information from deeds (these are technically publicly recorded, but they are not easy to find for the average person)
- Residential addresses advertised on real estate websites and in real estate marketing materials
- Information from police reports

U3. How do we action content that does not fit into any of the above categories?

- Remove it. The presumption is that otherwise-violating content is not publicly available. If a user does not make clear where the information comes from and we cannot determine that it comes from a publicly available source, then we remove the content.

U4. How do we action information published by news outlets that comes from non-publicly-available sources?

- Treat this information as publicly available because it has been published by news outlets, regardless of where the news outlets may have obtained it. For example, if news outlets publish otherwise private information from a police report or a deed, treat it as publicly available.

Previous Policy - submitted on 4/30

Privacy Violations and Image Privacy Rights Policy Rationale:

Privacy and the protection of personal information are fundamentally important values for Facebook. Facebook works hard to safeguard personal identity and information in order to protect people from potential physical or financial harm. Facebook does not allow people to post personal or confidential information about themselves or others.

Facebook removes content that shares, offers or solicits personally identifiable information or other private information that could lead to physical or financial harm, including financial,

residential, and medical information, as well as private information obtained from illegal sources.

Facebook also provides people ways to report imagery that they believe to be in violation of their privacy rights.

See Community Standards, Section 11.

Excerpt from Facebook’s Privacy Violations and Image Privacy Rights policy:

Do not post:

Content that shares or solicits any of the following private information, either on Facebook or through external links:

Personally identifiable information about yourself or others: ...

- Personal contact information of others such as phone numbers, addresses and email addresses

Imagery that display the external view of private residences if all of the following conditions apply:

- The residence is a single-family home, or the resident's unit number is identified in the image/caption
- The city/neighborhood or GPS pins (for example, a pin from Google Maps) are identified
- The content identifies the resident(s)
- That same resident objects to the exposure of their private residence or there is context of organizing protests against the resident (this does not include embassies that also serve as residences)

Community Standards, Section 11.



In order to aid in the Oversight Board’s consideration of Facebook’s Policy Advisory Opinion Request, Facebook provides an excerpt of its Known Questions. Facebook’s Known Questions are used to provide definitions, guidance, and instruction to content reviewers when assessing potential violations of the Community Standards. Facebook regularly reviews and updates the Known Questions resource and is currently undergoing an audit of all Known Questions.

Excerpt from Facebook’s Known Questions:

What do we mean by ‘Publicly available’ information?

- We want to protect users’ private information. If their information is easily found elsewhere online or has been published through some media, it is no longer private information. For example:
 - Information published through legitimate news source or publications:

- If the person or their company has publicly posted the content himself or herself somewhere online, we no longer consider it private info
 - If a phone number or email address belongs to an entire office or company (info@facebook.com), it is not considered private info.
- Information shared by organizations related to their own organization or business:
 - Financial records or statements issued/shared by companies
- Information shared by individuals related to their own private information
- Information is searchable through local search engines
- Documents of public record:
 - We do not protect information that is a matter of public record or intentionally becomes so via legal proceedings.
 - Example: Court files, including but not limited to case indexes, tax liens and judgements, bankruptcy files, criminal arrests and conviction records, warrants, and civil court recording.
 - Printed documents or electronic versions of records shared by government, law enforcement agencies or media with regard to a specific topic that requires PII. Examples of official records or public statements:
 - Property tax assessor files
 - Professional and business licenses
- *Note: Private information does not become publicly available simply because one person has posted it in more than one location. For instance, if the person sharing the information on Facebook has also created a website to share that info, we do not consider it publicly available.*

Allow: Documents/information or media reports that include personally identifiable information that is already publicly available through legitimate sources such as official records or public statements.

