

October 22, 2010

BY E-MAIL AND U.S. MAIL

Attorney General Martha Coakley
One Ashburton Place
Boston, MA 02108 -1518

Re: Backpage.com

Dear General Coakley:

As you know, this firm represents Backpage.com. Thank you for the opportunity to help address the social problems created by certain individuals using Internet sites in harmful ways. Our client has been engaged in an on-going dialogue with the Attorney General Working Group in an attempt to address their concerns with the advertising of "Adult Services" on Backpage.com for more than a year.

Most recently, our client has retained SSP Blue, and its founder, Hemanshu Nigam, to undertake a deeper and broader examination of the problem, with a view to attacking it aggressively and comprehensively so the public can rely on the safety and security of sites such as Backpage.com.

During the past year, our client has, in cooperation with the Working Group, implemented new features designed to address some of the more objectionable abuses found in such advertising. Among the more notable steps are the following:

1. Backpage.com has succeeded in more thoroughly monitoring objectionable content since implementing its moderation efforts to remove images that violate Backpage.com terms of service, postings using "code words", postings including "sex for money" language and postings deliberately harvesting email addresses and/or engaging in "black hat" marketing.

- "Forbidden Terms": Backpage.com has created a "forbidden terms" list to ban any language like the above. This list is being constantly updated.
- Ad Moderation: All new ads are moderated by a staff member. Additional staff review the work of the moderators, and review older postings where the text or images may have been edited by users.
- Shortly after implementing this heightened moderation, Backpage.com noticed users migrated to free postings in personals. To control objectionable and non-compliant postings in these categories, Backpage.com implemented a fee in the more popular categories in personals. This has proven to be effective.

2. We would also like to point out a recent initiative, undertaken at the request of law enforcement, notably including the FBI. Backpage.com is at work creating solutions to improve and expedite data acquisition for law enforcement. The features of this plan include:

- Providing documents sought by subpoena in electronic format.
- Providing images in 4 color format.
- Providing an FAQ document to explain the data.
- Providing more reliable telephone access for questions by law enforcement.
- Adding more staff to better comply with subpoenas and testify as custodian of records.
- Adding a new primary and secondary phone number for telephone contact by law enforcement and include updating of our contact information on search.org.

3. In addition to responding to the GAO's requests for information concerning Backpage.com's compliance with the PROTECT Our Children Act of 2008, our client recently implemented solutions to increase awareness about illegal ads being posted by:

- Posting on Backpage.com an adult services "interstitial page" warning users about posting illegal content.
- Providing another link to the NCMEC cyber tip line.

4. As you may already be aware, Backpage.com has suspended significant portions of its adult services sites until the most glaring issues can be resolved. In addition to the immediate suspension, Backpage.com has begun the process of implementing the following changes to the site to ensure that content posted is legal and consistent with the sites usage policy:

- The review of all ads and images in the personals and adult sections of the site.
- The implementation of key word searches to quickly identify banned advertisements and inappropriate discussions.
- The significant increase in staff to quickly identify illegal ads.
- The implementation of roadblocks to prevent minors from accessing mature content.
- The implementation of dedicated tools on the site to educate users regarding online safety and security.
- The improvement of functionality of user reported issues, such as abuse.
- The empowerment of users to report abuse and an expeditious process to handle user complaints.

5. Finally, Backpage.com has voiced its desire to see the creation of a multi-stakeholder national task force to create best practices in the online classifieds industry to help stop the ability to advertise illegally. Backpage looks to work with other industry members, including YellowPages.com, Twitter, Yelp, Youtube, and Eros.com, as well as state Attorneys General, law enforcement, and child advocacy groups in solving the challenges facing today's online classified and personals advertising industry.

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Our client looks forward to reporting significant progress in addressing these and other related issues, and to working with law enforcement and other participants in this industry to address and resolve these unique challenges fairly and effectively.

We would be happy to answer any questions you might have.

Very truly yours,

SNR Denton US LLP

By: 
Samuel Fifer

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