

FOR IMMEDIATE RELEASE:

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AG Balderas Launches Investigation of Technology Used to Facilitate Child Exploitation; Requests Cooperation from BitTorrent & Other Companies

Albuquerque, NM – This morning, New Mexico Attorney General Hector Balderas announced his office is investigating the use of technology to distribute child pornography and has requested the cooperation of BitTorrent Inc. and other companies to provide information that will aid in the investigation. Last week, Deputy Attorney General for Criminal Affairs Sharon Pino sent a letter to BitTorrent CEO Rogelio Choy demanding answers by June 8, 2018 about the company and users' practices regarding child exploitation.

“Protecting New Mexico’s children from horrific sexual violence and exploitation is the number one priority of our Internet Crimes Against Children Task Force, and I am fully expecting BitTorrent’s cooperation with our investigation,” Attorney General Hector Balderas said. “Our office continues to battle child exploitation and human trafficking in New Mexico, and large, out-of-state corporations operating in New Mexico have an obligation to contribute to this vital mission for public safety.”

The letter states, “For example, our office spearheads the Internet Crimes Against Children (ICAC) Task Force and Human Trafficking Task force both consisting of statewide law enforcement agencies committed to investigating and combating exploitation of children and adults in New Mexico. As part of this work, we have successfully partnered with the National Center for Missing and Exploited Children in union with Google, Facebook, Microsoft, Instagram, and numerous other electronic service providers and databases to protect the integrity of their business and prevent illicit misuse by users.”

“Further, the OAG demands that uTorrent immediately report any individuals engaging in the illegal trade of contraband images of child exploitation to the OAG and the NCMEC and provide a list of IP addresses regardless of the status of the user’s subscription status,” concludes the letter.

Attorney General Balderas oversees the New Mexico ICAC Task Force and created the New Mexico Human Trafficking Task Force which he also oversees. To report suspected child exploitation please call the Office of the Attorney General at (505) 717-3500, or 1-800-THE-LOST (1-800-843-5678) or www.missingkids.com.

Please see attached for a copy of the letter to BitTorrent Inc.

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STATE OF NEW MEXICO
OFFICE OF THE ATTORNEY GENERAL



HECTOR H. BALDERAS
ATTORNEY GENERAL

TANIA MAESTAS
Deputy of Civil Affairs

SHARON L. PINO
Deputy of Criminal Affairs

May 3, 2018

Rogelio Choy
Chief Executive Officer
BitTorrent Inc.
340 Bryant Street, Suite 201
San Francisco, CA 94107
legal@bittorrent.com

Dear Mr. Choy,

The Attorney General of the State of New Mexico, is committed to protecting vulnerable populations in New Mexico from human trafficking, online exploitation, and other illegal activities. As such, our office investigates and prosecutes online activities that violate criminal and civil law. For example, our office spearheads the Internet Crimes Against Children Task Force and Human Trafficking Task force both consisting of statewide law enforcement agencies committed to investigating and combating exploitation of children and adults in New Mexico. As part of this work, we have successfully partnered with the National Center for Missing and Exploited Children in union with Google, Facebook, Microsoft, Instagram, and numerous other electronic service providers and databases to protect the integrity of their business and prevent illicit misuse by users. Our office and our federal partners within the task force investigate online predators searching for contraband to prevent illegal manufacture, distribution, and possession of exploitative imagery in New Mexico. Additionally, our Consumer Protection Division enforces civil laws that serve to protect New Mexicans from unscrupulous and illegal business practices.

As technology evolves, we strive to protect New Mexicans by partnering with entities offering free and for-profit services in New Mexico. We have identified certain services offered by uTorrent that may be subject to misuse by users that could result in harm to New Mexicans. Additionally, we have identified areas of uTorrent's business practices and representations that may be materially misleading or deceptive in violation of New Mexico law.

As you may be aware, users of your client software, uTorrent, are known to use your services and software for illegal purposes, including sharing copyright protected material and child pornography and other material that contribute to the exploitation of children and adults in New Mexico. Search terms utilized by an individual using uTorrent capabilities will indicate title or content of the contraband they have obtained. Attached for your review are search terms indicating contraband that can be obtained utilizing uTorrent from users who are misusing the technology and services provided

by uTorrent. We are also concerned that the "Cyber Ghost VPN: be anonymous online" service offered by uTorrent may pose a high risk of abuse by users seeking to engage in the trade, manufacture, and distribution of child exploitation imagery.

In addition to monitoring search terms, many electronic media hosts and providers utilize hash value technology and photo DNA in order to ensure that users who misuse the technology are reported to law enforcement and the National Center for Missing and Exploited Children (NCMEC). We have had great success working with similarly situated online entities who provide cybertips to law enforcement and NCMEC to remove child pornographers from their host site and report their illegal conduct to our office.

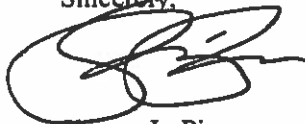
Because of this, we are asking BitTorrent Inc. to provide information to the Office of the New Mexico Attorney General regarding its current steps to prevent and prohibit illegal use of uTorrent and immediately inform the OAG of any steps that BitTorrent Inc. plans to take to monitor its users of uTorrent to remove and prevent misuse. Specifically, the OAG requests that BitTorrent Inc. provide the following information on or before June 08, 2018:

1. The number of subscribers in the State of New Mexico for the Pro+VPN service provided by uTorrent.
2. The number of subscribers in the State of New Mexico for the Pro service provided by uTorrent.
3. The number of subscribers in the State of New Mexico for the Ad-Free service provided by uTorrent.
4. Current advisories for subscribers in the State of New Mexico prohibiting the sharing, downloading, or requesting of images of child sexual abuse.
5. Current protocols used by BitTorrent to monitor misuse of uTorrent by removal of users.
6. Current protocols used by BitTorrent to report misuse of uTorrent and possible criminal activity by users.
7. Records indicating the number of removed users and the frequency of removal of users who violate uTorrent's Terms of Use and End User License Agreement.
8. Current utilization of hash value technology to monitor, prevent, and report exchange of child exploitation imagery.

Further, the OAG demands that uTorrent immediately report any individuals engaging in the illegal trade of contraband images of child exploitation to the OAG and the NCMEC and provide a list of IP addresses regardless of the status of the user's subscription status.

We look forward to receiving the information listed above from you. Should you have any questions, please feel free to contact me at (505) 490-4047.

Sincerely,



Sharon L. Pino
Deputy Attorney General
Criminal Affairs

Enclosures: Pages of search terms