



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Commissioner

January 31, 2022

Ms. Dena Trujillo
Chief Executive Officer
Crisis Text Line

Mr. Etie Hertz
Chief Executive Officer
Loris.ai

Dear Ms. Trujillo and Mr. Hertz,

Last week, a *Politico* report detailed concerning new information about the way your organizations share—and monetize—the data that you obtain from the confidential text messages of Americans that are reaching out to Crisis Text Line and its counselors for help.¹ I am writing to request that you end these practices immediately—especially given the concerns that have been raised about consent and whether this so-called “anonymized” data could nonetheless be linked to a specific individual. It is imperative that Americans have trust and confidence that these uniquely sensitive communications will remain private. Otherwise, we risk erecting additional barriers between those in need and those that can help and undermining the integrity of mental health support lines more broadly.

As you know, Crisis Text Line connects millions of people with mental health and crisis intervention counselors through text messages and online messaging platforms. This has the benefit of meeting people that prefer communicating over text where they are, including teenagers. Operating as a tech-driven nonprofit, Crisis Text Line’s laudable goal is to help people that are coping with traumas such as self-harm, emotional abuse, and thoughts of suicide. One way that Crisis Text Line does this is by utilizing artificial intelligence to analyze the terms used in text conversations to identify the most life-threatening situations or the specific issues individuals are facing. At its best, this technology can enable Crisis Text Line to respond in the most appropriate manner more quickly—for example, there are certain terms that indicate heightened risk of suicide, drug abuse, or cutting.

But as the *Politico* report makes clear, your organizations are using the data from these private conversations for far more than this charitable service. According to the report, Crisis Text Line is sharing troves of data from these text messages—information that people have shared during the darkest and sometimes most pivotal moments of their lives—with a for-profit spin-off, Loris.ai. In turn, Loris mines and analyzes hundreds of millions of Crisis Text Line

¹ Alexandra S. Levine, *Suicide Hotline Shares Data with For-Profit Spinoff, Raising Ethical Questions*, POLITICO (Jan. 27, 2022), <https://www.politico.com/news/2022/01/28/suicide-hotline-silicon-valley-privacy-debates-00002617>.

messages for the purpose of developing “enterprise software that helps companies boost empathy AND bottom line,” as Loris says on its website. Crisis Text Line holds an ownership stake in Loris, and Loris has pledged to share some of its revenue with Crisis Text Line, according to the *Politico* report. In fact, when describing its data-sharing partnership, Crisis Text Line states on its website, “Simply put, why sell t-shirts when you can sell the thing your organization does best?” This is disturbingly dystopian.

The *Politico* report flags several additional concerns too. For one, Crisis Text Line and Loris claim to share only anonymized data, but the report explains that there have been cases in other contexts where so-called “anonymized” data has been traced back to an individual. The concern is heightened here given the sensitive nature of communications with Crisis Text Line. For another, there are serious questions about whether meaningful consent has been provided before sharing and monetizing these communications. It is unlikely that someone reaching out to Crisis Text Line during a crisis is going to process the organization’s 50-paragraph disclosure before beginning to communicate.

To be clear, there are other government agencies, including the Federal Trade Commission, that directly regulate the conduct and practices at issue here. And I would be interested in their views on these issues. For my part, I am writing to you today because the Federal Communications Commission, in partnership with the Department of Health and Human Services’ Substance Abuse and Mental Health Services Administration, as well as the Department of Veterans Affairs, has long played a role in the establishment and implementation of the National Suicide Prevention Lifeline (“Lifeline”)—which is distinct from the services offered by Crisis Text Line. In 2020, the FCC adopted rules to establish 988 as the new, nationwide 3-digit phone number for the Lifeline. And, most recently, the FCC adopted rules to expand access to the Lifeline by establishing the ability to text 988 to better support those in crisis, including those with disabilities. This work, and the Lifeline generally, has been made even more important by the COVID-19 pandemic, which has exacerbated the mental health crisis currently facing America. The success of the Lifeline, and other mental health hotlines, is directly tied to the public’s trust that conversations will remain confidential. In fact, one of the reasons that people in crisis do not call the Lifeline or otherwise seek help is because they are worried that that they might lose their anonymity.

In recent advocacy before the FCC, where Crisis Text Line was lobbying for a larger role in the implementation of text-to-988 framework, Crisis Text Line acknowledged that “texters are often opening up for the first time [and . . .] the issues they share with . . . crisis counselors are often deeply personal and urgent.” Crisis Text Line also stated that a “text-to-988 service must be held to the highest standards for data privacy, regardless of how it is implemented, in order to honor the trust placed in it by the texters who seek it – and to earn the trust of would-be texters who have yet to do so.” If members of the public fear that the confidentiality of their conversations will be breached by Crisis Text Line’s data-sharing and monetization practices, they are much less likely to reach out during times of need.

For these reasons, I am writing today to request that Crisis Text Line and Loris cease this data sharing and monetization practice to preserve the integrity of mental health hotlines, including the separate Lifeline that the FCC and other government and private stakeholders have worked so hard to establish. I also request that you provide my office with detailed information regarding your data sharing and monetization practices.

Sincerely,

A handwritten signature in blue ink, appearing to read 'B Carr', with a long horizontal flourish extending to the right.

Brendan Carr