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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

May 19, 2022

Emmett Shear
Co-Founder and Chief Executive Officer
Twitch Interactive, Inc.
350 Bush Street, Second Floor
San Francisco, CA 94104

Dear Mr. Shear:

I write to request information regarding Twitch's actions to identify and remove content that broadcasts or promotes domestic terrorism, violent extremism, or hate crimes, as well as any efforts Twitch has made to address the use of its platform by those who perpetrate such acts.

This past weekend in Buffalo, New York, a gunman committed a horrific and premeditated act of hate-fueled domestic terrorism that killed ten and injured three more. The perpetrator of this act of white supremacist violence against the Black community was apparently motivated by the racist "Great Replacement Theory." To amplify his hateful message, the perpetrator livestreamed his attack on Twitch, noting in a 180-page document that he wanted everyone to "watch and record."¹

This is not the first time Twitch has been used to disseminate video or livestreams of white supremacist terror attacks. In March 2019, another gunman motivated by the "Great Replacement Theory" killed 51 and injured 40 others in a terrorist attack on two mosques in Christchurch, New Zealand, which he livestreamed. This video was subsequently shared via Twitch in a coordinated bot attack.² Just six months later, on Yom Kippur, a Holocaust denier used Twitch to livestream his terrorist attack on a Halle, Germany synagogue and passersby.³ The Buffalo shooter cited both the Christchurch and the Halle attacks as inspiration.⁴

¹ Isaac Stanley-Becker & Drew Harwell, *Buffalo suspect allegedly inspired by racist theory fueling global carnage*, WASH. POST (May 15, 2022), <https://www.washingtonpost.com/nation/2022/05/15/buffalo-shooter-great-replacement-extremism/>.

² Robert Burnson, *Twitch Sues Troll Streamers Over Violent Videos, Pornography*, Bloomberg (Jun. 15, 2019), <https://www.bloomberg.com/news/articles/2019-06-15/twitch-sues-troll-streamers-over-violent-videos-pornography>.

³ Melissa Eddy, Rick Gladstone, & Tiffany Hsu, *Assailant Live-Streamed Attempted Attack on German Synagogue*, N.Y. TIMES (Oct. 9, 2019), <https://www.nytimes.com/2019/10/09/world/europe/germany-shooting-halle-synagogue.html>.

⁴ Alan Feuer, *How Buffalo Suspect's Racist Writings Reveal Links to Other Attacks*, N.Y. TIMES (May 16, 2022), <https://www.nytimes.com/2022/05/16/us/buffalo-shooting-replacement-theory-christchurch-el-paso.html>; Isaac Stanley-Becker & Drew Harwell, *Buffalo suspect allegedly inspired by racist theory fueling global carnage*, WASH. POST (May 15, 2022), <https://www.washingtonpost.com/nation/2022/05/15/buffalo-shooter-great-replacement-extremism/>.

Law enforcement and other experts have warned that Twitch is an attractive platform for extremists given its comparatively lax content monitoring and enforcement practices, particularly as more mainstream apps take steps to de-platform extremist content.⁵ I recognize that Twitch has begun to address the use of its platform to share and amplify violent extremism, including removing the Buffalo shooter's livestream within two minutes of the beginning of the attack.⁶ However, given the continued role of Twitch and other social media platforms in facilitating the proliferation of violent extremism, it is crucial that Congress better understand what Twitch is doing to address efforts by violent extremists to use its platform recruit, organize, and amplify violence and the threat of violence. For this reason, please respond to the following requests as soon as possible, but no later than June 2, 2022:

1. Please produce Twitch's terms of service from January 1, 2017 to present, including any changes to its terms of service regarding content that violates its policies on breaking the law, violence and threats, hateful conduct and harassment, and harmful misinformation actors.⁷
2. Please explain in detail, and produce documents sufficient to show, how Twitch identifies content that violates its terms of service for moderation, including documents describing the timeframe between when such content is posted and when it is removed.
3. Please quantify how much content on Twitch has been found to violate policies on breaking the law, violence and threats, hateful conduct and harassment, and harmful misinformation actors since January 1, 2017.
4. Please explain in detail, and produce documents sufficient to show, how Twitch enforces compliance with its terms of service, including when content violates its policies on breaking the law, violence and threats, hateful conduct and harassment, and harmful misinformation actors; the consequences users face for violating terms of service; whether penalties are escalated for repeat offenders; and what steps are taken to prevent users from circumventing penalties, such as banned users simply creating new accounts.

⁵ Pierre Thomas et al., *Document appears to show Buffalo shooter's planning including March trip to supermarket*, ABC NEWS (May 16, 2022) (quoting NYPD bulletin warning that "Online gaming platforms, in particular Twitch and Discord, have become popular social media alternatives for far-right extremists due to minimal content moderation, as opposed to more mainstream social media platforms"); see also Cecilia D'Anastasio & Davey Alba, *Buffalo Massacre Suspect Mapped Plans on Discord App for Months*, BLOOMBERG (May 16, 2022), <https://www.bloomberg.com/news/articles/2022-05-16/buffalo-shooter-laid-out-attack-plans-on-discord-app-for-months>; State of Play: Reviewing the Literature on Gaming & Extremism at 13, EXTREMISM AND GAMING RESEARCH NETWORK (2021), available at <https://drive.google.com/file/d/1WEq4OjtqZYdtAB0SK46M88gFF863jWs/view>.

⁶ Brian Stelter & Sharif Paget, *Twitch says livestream of Buffalo mass shooting was removed in less than 2 minutes*, CNN (May 15, 2022), <https://www.cnn.com/2022/05/15/business/twitch-livestream-buffalo-massacre/index.html>.

⁷ As defined by Twitch's Community Guidelines. See *Community Guidelines*, TWITCH, https://safety.twitch.tv/s/article/Community-Guidelines?language=en_US (last visited May 18, 2022).

5. Please describe in detail, and produce documents sufficient to show, Twitch's guidelines and parameters for recommending content to users, including both the curation of search results and targeted promotions based on user data.
6. Please describe in detail any actions planned, in progress, or completed by Twitch to detect and prevent the use of the platform for broadcasting or promoting domestic terrorism and violent extremism.
7. Please describe in detail any actions planned, in progress, or completed by Twitch to coordinate with federal, state, local, and tribal governments and agencies to detect, prevent, or investigate violence or threats, including domestic terrorism and violent extremism.

Thank you for your attention to this important matter. I look forward to your prompt reply.

Sincerely,



Richard J. Durbin
Chair

cc: The Honorable Charles E. Grassley, Ranking Member