

States Accuse Meta of Harming Children

Attorneys general in more than 40 states file lawsuits seeking changes to platforms

BY JEFF HORWITZ

A coalition of 41 states and the District of Columbia are filing lawsuits alleging Meta Platforms intentionally built its products with addictive features that harm young users of its Facebook and Instagram services.

The lawsuits, in federal and state courts, say Meta misled the public about the dangers of its platforms for young people. The states allege Meta knowingly marketed its products to users under the age of 13, who are barred from the platform by Meta's policies and federal law. The states are seeking to force Meta to change features that they say pose dangers to young users.

The lawsuits follow failed settlement talks with Meta, according to people familiar with the situation. They come after a joint, multiyear investigation led by Attorneys General Jonathan Skrmetti of Tennessee, a Republican, and Phil Weiser of Colorado, a Democrat.

“Since this investigation has begun, we have engaged in a meaningful dialogue with the attorneys general regarding the ways Meta already works to support young people on its platforms, and how Meta is continuously working to improve

young peoples' experiences,” a Meta spokesman said. “We're disappointed that instead of working productively with companies across the industry to create clear, age-appropriate standards for the many apps teens use, the attorneys general have chosen this path.”

The spokesman said supporting teens requires examining the many issues they struggle with and recognizing many teens find support and community on social media.

Of the states, 33 joined a suit filed in federal court in Northern California. Some of the attorneys general, including Skrmetti of Tennessee and Democrat Andrea Campbell of Massachusetts, chose to bring cases making essentially the same arguments under their states' consumer-protection laws for what people familiar with the efforts called strategic reasons.

Weiser and Skrmetti highlighted the bipartisan nature of the effort. They pledged the states would invest heavily in the cases, comparing them to other landmark state actions over products deemed harmful to public health. “We had a conference six months ago working on this, we had over 100 people there,” Skrmetti said. “That’s tobacco-suit level, opioid-suit level commitment.”

According to the federal suit, Meta maximized the attention teen users spend on its platform in ways the company knows often come at the expense of their mental health.

“Despite overwhelming internal research, independent expert analysis, and publicly available data that its Social Media Platforms harm young users, Meta still refuses to abandon its use of known harmful features—and has instead redoubled its efforts to misrepresent, conceal, and downplay the impact of those features on young users’ mental and physical health,” the suit claims.

Meta has said it rolled out a number of features to improve well-being for young people and enhance parental controls over how their children use the product.

The attorneys general cite as part of their evidence internal Meta documents made public by Frances Haugen, a former employee who took more than 20,000 screenshots of records about company research into its products’ potential harms. Those documents were part of the basis of The Wall Street Journal’s Facebook Files series of articles in 2021.

Among those records were hundreds of pages of internal research into teen users’ behavior and Meta’s efforts to make its platform more alluring to them. Based on focus-group user-experience work and surveys of hundreds of thousands of Instagram users, Meta’s researchers concluded that social media likely didn’t pose significant risks for most users. But for a substantial minority of teens with existing mental-health vulnerabilities, they wrote, Instagram posed risks.

In one of the documents cited by the Journal, an Instagram research manager explained to colleagues: “Teens told us that they don’t like the amount of time they spend on the app but feel like they have to be present.”

The manager added that “they often feel ‘addicted’ and know that what they’re seeing is bad for their mental health but feel unable to stop themselves.” According to Meta’s internal research, the problem was most pronounced among young women.

“Thirty-two percent of teen girls said that when they felt bad about their bodies, Instagram made them feel worse,” researchers wrote in a summary of their work, according to the Journal article. Citing the platform’s “highlight reel” sensibilities and focus on users’ bodies, the researchers concluded that “comparisons on Instagram can change how young women view and describe themselves.”

In the wake of the Journal article, Meta suspended plans for a version of its Instagram app tailored to children. But the company pushed back against the claims of harm, calling the Journal’s reporting misleading and saying that on 11 out of 12 potential well-being issues, teenage girls said Instagram was helpful.

The federal suit alleges that, in the wake of the Journal’s reporting and the allegations by Haugen, the company offered false reassurances to parents and took steps to muzzle its research staff. While specific examples of Meta’s alleged coverup are redacted in the filing, in an interview, Weiser said they included disbanding internal research teams and restricting employee access to data. He called the steps an effort by Meta to protect its business model of maximizing user engagement.

Tuesday’s suits follow extended discussions between the states and Meta regarding a possible settlement that would have required the company to acknowledge the alleged risks of its products and limit specific design features that the states concluded were aggravating existing mental-health issues for young users.

The talks failed, Weiser said, because Meta was unwilling to alter its products in ways that would reduce compulsive usage.

“Young people can use social media in a safe, protected way. But that hasn’t happened. Instead young people have been fed features that lead them into dark holes,” he said. “If Meta were to start from the premise that they recognize the concerns we’ve identified and are committed to addressing the harms we can always resume those talks.”

The coalition of attorneys general have been pursuing similar lines of inquiry regarding Meta’s social-media competitors, with Tennessee and others seeking to compel Tik-Tok to produce internal records related to teen mental health in court. It isn’t clear if those inquiries could lead to litigation.

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