Testimony of Clare Morell, Author of *The Tech Exit: A Practical Guide to Freeing Kids and Teens from Smartphones* in support of Minnesota SF 4696

Executive Summary:

- The design of social media is inherently addictive, especially to the developing brains of minors and is causing an epidemic of addiction and mental illness among America's youth. Social media's business model is addicting our kids.
- The current age limits, parental controls, and screen time limits that social media companies hold out as the solution to protecting kids are woefully ineffective. Parental controls are a myth, parents are not in control, the company's algorithms are. And screen time limits don't work with an incredibly addictive product -- even a short amount of time spent on these apps is addicting to a child's developing brain.
- Parents on the frontlines need help from lawmakers. SHASM critically puts parents in control over children getting on to social media and helps parents beat the collective action problem of social media. Currently, there is no parental consent or age verification required to get a social media account, so even if a parent is trying to keep a child off of social media, it's incredibly difficult to enforce. The social pressures also make it difficult for individual parents be the "first mover" to resist social media for their kids. Laws like SHASM can help set a new collective norm to limit social media for minors under 16 that supports parents in their individual decisions with their children. By requiring **age estimation**, SHASM also puts real teeth in age limits and parental consent. If parents do consent, SHASM still provides important protections against addictive exploitation, undermining social media's predatory business model towards kids.

I. SOCIAL MEDIA AND THE YOUTH MENTAL HEALTH CRISIS

Since 2010, the rates of anxiety, depression, self-harm, and suicide among teens have spiked. In the last decade, from 2010 to 2020, emergency room admissions for self-harm injuries among 10- to 14-year-old girls quadrupled.[1] A four-fold increase. The 2023 CDC Youth Risk Behavior Survey found that 1 in 3 high school girls had seriously considered taking her own life in the past year. One in three.[2]

Social media use is *causing* these declines in mental health and increases in self-harm and suicidality. As Jonathan Haidt has explained, "Between 2010 and 2015, the social lives of American teens moved largely onto smartphones with continuous access to social media.

[1] The Anxious Generation, The Evidence, March 2, 2024,https://www.anxiousgeneration.com/research/the-evidence

[2] CDC, U.S. Teen Girls Experiencing Increased Sadness and Violence, February 13, 2023, https://www.cdc.gov/media/releases/2023/p0213-yrbs.html#:~:text=Nearly%201%20in%203%20(30,Black%20youth%20and%20White%20youth.

. . The first generation of Americans who went through puberty with smartphones . . . in their hands became more anxious, depressed, self-harming and suicidal."[3]

A. The harms are driven by addictive design.

Children's and teen's brains are particularly vulnerable to the design of social media. The regions of the brain associated with social rewards undergo significant development during adolescence, as the brain's dopamine receptors multiply between the ages of ten and twelve. This is a normal part of adolescent development that helps children bond with their peers. Social media takes this natural process and hijacks it with an environment built on teens holding themselves out to the world for review and judgment, for instant feedback and gratification, with metrics for constant comparison with others—the perfect recipe for teens to become anxiously addicted to checking their phones.[5]

Social media further generates this addiction by using design features, like constant notifications, "likes", daily streaks, infinite scroll, and feeds customized by recommendation algorithms that learn what a user likes and continues to give him more of the same content to keep him hooked, all of which stimulate the brain to release dopamine. Dopamine is a neurotransmitter involved in the brain's reward system that gives the brain a little burst of pleasure. Dopamine, however, doesn't create satisfaction or lasting pleasure; it only produces "wanting" so the user will repeat that action again. Brain imaging studies indeed show that the impact of social media on the structure of the brain resembles that of a highly addictive drug, like cocaine.[4]

The huge exposure of children and adolescents to pornography and to obviously harmful material such as videos advocating dangerous "challenges" or self-harm on social media attracts much attention, and rightly so. But the science tells us that constantly drawing children's attention back to these apps, even to superficially "harmless" content, inflicts harm on children's developing brains. In 2023, University of North Carolina researchers published a study that found that sixth and seventh grade students who checked social media platforms (Facebook, Instagram, and Snapchat) multiple times throughout the day, to say nothing about the content viewed or amount of time spent on the apps, demonstrated divergent brain development over time.[5]

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[3] Jonathan Haidt, *The Anxious Generation: How the Great Rewiring of Child Is Causing an Epidemic of Mental Illness* (New York: Penguin, 2024), 44-45.

[4] Christian Montag et al., "Internet Communication Disorder and the Structure of the Human Brain: Initial Insights on WeChat Addiction," *Scientific Reports* 8 (2018), doi.org/10.1038/s41598-018-19904-y; Fuchun Lin and Hao Lei, "Structural Brain Imaging and Internet Addiction," in *Internet Addiction: Neuroscientific Approaches and Therapeutical Interventions*, ed. Christian Montag and Martin Reuter (New York: Springer, 2015), 21–42.

[5] Maria T. Maza et al., "Association of Habitual Checking Behaviors on Social Media with Longitudinal Functional Brain Development," *JAMA Pediatrics* 177, no. 2 (2023): 160–67, doi.org/10.1001/jamapediatrics.2022.4924.

While other bills may take aim at specific harmful *content*, SHASM takes aim at the core problem of addictive use of social media by children.

B. Social Media companies *want* to addict your child.

Addiction is not an accidental consequence; it is the goal that platforms have intentionally pursued. Social media appears "free" to your child—but your child's time, attention, and data is the product being sold. More hours with eyes glued to the screen means more time for advertisements. The user is the product. That's social media's business model. Sean Parker, the founding president of Facebook, has since explained that when Facebook was being developed the objective was: "How do we consume as much of your time and conscious attention as possible?"[6]

New internal documents have come to light through litigation, showing these companies intentionally addicted our kids. One internal Meta employee message exchange compares Instagram to drugs and slot machines. "Oh my gosh yall IG is a drug," "Lol, I mean, all social media. We're basically pushers."[7] Internal TikTok documents, likewise, document that the company is well aware that their users "think the platform is addictive." When TikTok designers proposed modifications to reduce addictive use of TikTok, senior management was only willing to consider changes that would result in no more than a 5% drop in "stay time."[8]

Social media companies also want to addict your child because they know that once children get hooked on a specific platform, they tend to stick with that platform on into their adult years when they spend more and are worth even more to advertisers. The younger a platform can addict a user, the longer they can profit off of that person over the course of their lifetime. An internal Meta report states, "the young ones are the best ones" in explaining why young users have greater long-term retention for the company in using their products.[9]

II. EXISTING "PROTECTIONS" ARE INEFFECTIVE

A. Age limits are a sham.

Despite hollow promises to the contrary, social media platforms have little interest in keeping underage minors off their platforms. Rather, for the reasons mentioned above, these companies are in a race to the bottom for our children. Although age 13 is

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[6] Mike Allen, "Sean Parker unloads on Facebook: 'God only knows what it's doing to our children's brains'", Axios, November 9, 2017, available at: https://www.axios.com/2017/12/15/sean-parker-unloads-on-facebook-god-only-knows-what-its-doing-to-our-childrens-brains-1513306792

[7] MDL. No. 3047, Amended Exhibit 74, https://storage.courtlistener.com/recap/gov.uscourts.cand.401490/gov.uscourts.cand.401490.2648.39.pdf

[8] *Kentucky v. TikTok* Compl. ¶¶ 126, 146, 203, 210.

[9] MDL. No. 3047, Amended Exhibit 313, https://storage.courtlistener.com/recap/gov.uscourts.cand.401490/gov.uscourts.cand.401490.2648.42.pdf

commonly the minimum age used by social media platforms in the U.S. (because according to the federal law, COPPA, companies cannot collect data on children under the age of 13 without parental consent) nearly 40% of children ages 8–12 use social media. [10] That is nearly half of pre-teens! The companies are not enforcing their own age limits and have been resistant to implement more robust age-verification processes. All a child needs to do is enter a birth date (easy for kids to lie about) and check a box to agree to the terms and services. A parent may never know, since no parental consent is required.

B. Parental controls are ineffective.

Social media companies have worked to convince parents that if they just enable the parental controls on their apps, their children will be safe. Instagram, along with many of the other major social media platforms like Snapchat, TikTok, and Discord, offers "parental supervision" tools, but in all cases, the teen has to accept the supervision and can cancel it at any time (though the parent will get a notification if it's canceled). And even that supervision is extremely limited. The controls mainly allow the parent to set daily time limits and breaks and manage privacy settings, but the parent has no insight into posts in the child's feed or the content of messages sent and received. If parents can't meaningfully oversee their children's online activity and communications, and if account restrictions can't truly be locked in by a parent, then the idea that these are parental controls is a myth. Platforms essentially put teens, with their underdeveloped brains, in the driver's seat when it comes to their experience on social media.

Not to mention that parental controls are meaningless when kids can and do create accounts without their parents' knowledge. Even worse, some of the most dangerous apps, like Snapchat, TikTok, and Discord, all block external third-party controls that a parent may install from accessing the data inside the apps. The reality is the companies' addictive algorithms determine a child's online experience, not the parents.

C. Screen time limits are not enough.

Even if kids couldn't get around parent-set time limits (which they can), the limits still wouldn't beat the addiction mechanisms built into social media. With an addictive product, time limits are no match. The negative effects from social media's constant dopamine hits do not occur only when someone is spending too much time on it, rather the compulsive checking behavior social media induces, regardless of time spent, causes divergent brain development, as the 2023 UNC study mentioned above shows.

Time limits also don't map on to a child's mental or emotional time spent on the platform. Even if a child is only allowed on social media for thirty minutes a day, that brief exposure can dominate their mental space for the rest of the day. Because of the

[10] Rideout, V., Peebles, A., Mann, S., & Robb, M. B. (2022). Common Sense census: Media use by tweens and teens, 2021. San Francisco, CA: Common Sense.

built-in social metrics, children are constantly thinking about the next time they can get on the app to see what "likes" they may have gotten or new content friends might be posting. Kids carry the virtual world with them long after they "leave" it. This is because once they leave the app, the brain does not return to a baseline level of dopamine, it actually plunges into a dopamine deficit state, which creates the constant craving to go back on. The time limit is never enough.

D. An existential threat.

The harms social media are causing to America's youth go much deeper than the mental health epidemic of spiking rates of teen anxiety, depression, and self-harm. These are real concerns but they are only symptoms of a much greater spiritual disease afflicting American childhood—social media habituates children towards an inhumane way of life.

The character traits that are adaptive for the world of social media are maladaptive for the real world. Social media creates dependence and addiction, instead of independence and freedom. It rewards and celebrates self-focus and self-expression rather than responsibility and service to others. It is a world built on metrics, "likes," reshares, and superficial connections instead of friendship, trust, and conversation. It wires children for consumption instead of production.

These results are the exact opposite of what parents want for their children and to what is best for our nation. The endurance of our self-governing republic depends on a virtuous, flourishing citizenry, men and women will be contributing members of society, who will make their country a better place, and who are qualified to serve as leaders. The social media companies are working to form a different kind of person. Their apps are designed to overpower human self-control and turn our children into unthinking, dopamine-addicted *users*.

We are at a crisis point. Parents are in a competition with these Big Tech companies, and whoever wins that competition is going to determine what the future citizens of our country are like, and therefore what kind of nation we become. The souls of our children and the soul of our nation is at stake. We need lawmakers to help parents win this fight.

III. PASS SHASM

A. SHASM critically puts parents in control over children getting on to social media and helps parents beat the collective action problem of social media.

SHASM requires social media platforms to terminate the accounts of users determined to be under age 16 unless and until they obtain "verifiable parental consent," as defined in COPPA. This puts parents back in the driver's seat over if and when a child gets to create a social media account.

Also, because the COPPA requirement for "verifiable parental consent" has proven sufficient to discourage at least most major social media platforms from providing accounts for minors who admit to being under age 13 at all, the best-case scenario is that under SHASM, this requirement would lead the companies to set a new age limit of 16. And therefore, SHASM also could help solve the "first mover" or collective action problem of social media, where parents have felt socially pressured into letting their kids on because every other kid has an account.

B. By requiring **age estimation**, SHASM puts real teeth in age limits and parental consent that can withstand constitutional challenge.

The industry's practice of accepting children's "check-box" lies about their ages has betrayed our children. Recently, several states have passed laws requiring some form of "age verification" before an account can be opened. New technologies promise that age verification can be done anonymously, but some civil libertarians on both the left and right have expressed doubt about that anonymity, and some courts have held age verification requirements unconstitutional because of their potential impact on adults.

SHASM takes a different approach. SHASM requires the large social media companies to use the same AI power they deploy to profile, addict, and sell your child, to estimate the ages of users, identify children, and close their accounts—unless and until those companies obtain concrete, verifiable consent from a parent. No form of identification is required from the user. Their business model is targeted advertising, so the companies know who their users are. Children's online behavior patterns are distinctive, and they can't successfully act like adults for long. The major social media companies have said publicly that they *can* do this; SHASM would require that they *do* do it.

C. If parents do consent, SHASM still provides important protections against addictive exploitation.

Some parents want their children to have social media accounts, but no parent wants their child addicted. If parents do consent, SHASM respects that decision, while still providing important protections. SHASM prohibits presenting specific and purposefully addictive interface features on children's accounts, and SHASM prohibits those companies from using their recording and AI analysis of your child's online behaviors to craft a personalized addictive feed.

D. SHASM is one important line of defense for our children.

Legislatures should certainly enact high barriers to keep young people off of pornography websites, as the Supreme Court recently approved in its *Free Speech Coalition v. Paxton* decision this year. But such laws will not address the harms to our children of *addiction* to social media. SHASM provides a new and important line of defense for our children against the determined efforts of social media companies to addict our children and sell their attention for profit.