

TIM GRIFFIN
ATTORNEY GENERAL

March 4, 2024

Sent via First Class Mail

Ms. Jennifer Newstead
Chief Legal Officer
Meta Platforms, Inc.
1 Hacker Way
Menlo Park, CA 94025

Re: Letter from the State of Arkansas and 26 other States demanding that Instagram cease monetizing child exploitation

Dear Ms. Newstead:

The States of Arkansas, Alabama, Alaska, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, and Wyoming are concerned by news that Instagram has “actively promoted” to “likely pedophiles” content created by “adults seeking to profit from exploiting their own children.” Jeff Horwitz and Katherine Blunt, *Meta Staff Found Instagram Tool Enabled Child Exploitation. The Company Pressed Ahead Anyway*, Wall St. J. (Feb. 22, 2024), <https://perma.cc/A86R-8GSK>; Jennifer Valentino-DeVries and Michael H. Keller, *A Marketplace of Girl Influencers Managed by Moms and Stalked by Men*, N.Y. Times (Feb. 22, 2024), <https://perma.cc/2ZMN-N89T>. We demand that you immediately cease promoting the exploitation of children and take additional measures to protect them.

Background

The Wall Street Journal recently reported that Meta refused to implement recommended procedures to protect children’s safety on Instagram even after Meta’s own staff determined the platform lacked “basic child-safety protections.” *Id.* “Two teams inside Meta raised alarms in internal reports” after finding that “hundreds” of “parent-managed minor accounts” were being used to sell “content, often featuring young girls in bikinis and leotards” to “overwhelmingly male” subscribers who were “often overt about sexual interest in the children.” *Id.* “Meta’s own reviews confirmed that parent-run modeling accounts were catering to users who had demonstrated pedophilic interests.” *Id.* Worse, “[t]he Meta staffers found that its algorithms promoted child-modeling subscriptions to likely pedophiles.” *Id.* Despite Meta staff’s formal recommendation to “require accounts selling subscriptions to child-focused content to register themselves,” the

company refused to implement even this basic safeguard. *Id.* Instead, Meta put an automated system in place that pedophiles could evade simply “by setting up a new account.” *Id.*

Unsurprisingly, that automated system fails to protect children from exploitation. The Wall Street Journal’s investigation “revealed obvious failures of enforcement,” including parent-run Instagram accounts that promoted “pin-up style photos of children” to Facebook pages “devoted to adult-sex content creators and pregnancy fetishization” with 200,000 followers. *Id.* It found that an account that was banned for child exploitation only last year had returned, “received official Meta verification,” and gained “hundreds of thousands of followers.” *Id.*

The New York Times has reported that men in online chatrooms devoted to child sexual fantasies “frequently praise the advent of Instagram as a golden age for child exploitation.” Valentino-DeVries and Keller, *supra*. Instagram is “basically [a] massive ‘victim discovery service[,],’” according to a 2018 comment by a top Facebook executive. *Id.* That comports with The Wall Street Journal’s investigation, which found that some parent-run accounts “received extensive attention in forums on non-Meta platforms” where men “discussed whether specific parents were willing to sell more risqué content privately” and “swapped tips on how to track down where specific girls live.” Horwitz and Blunt, *supra*. Thus, Meta has incentivized the victimization of children both on and off its platforms.


Meta Must Immediately Cease Promoting Child Exploitation

Meta’s “active promot[ion]” of parents’ exploitation of their own children to “likely pedophiles” is outrageous. *Id.* That is no doubt why other content-monetizing platforms like Patreon prohibit child-modeling accounts altogether. *Id.* Tellingly, Meta has turned Instagram into a source for content that is banned even by OnlyFans, a platform that monetizes both sexual and nonsexual content. *Id.* Even if the accounts promoted by Instagram don’t depict child nudity or other illegal content, *monetizing images of minors for sexual gratification is categorically unacceptable*. This is not a matter on which reasonable minds differ.

The time has long passed for Meta to protect children from such dangerous activity. Meta cannot ignore the appalling consequences of its actions for children both on and off of its platforms. Failing to take even anemic measures (like implementing your staff’s formal recommendation to register child-focused content creators) is irresponsible. Ensuring child safety should be an absolute—not a consideration to be balanced against its costs. And your company’s actions to date—tweaking algorithms, automating processes, and removing accounts with hundreds of thousands of users only after investigative journalists raise the issue—are demonstrably inadequate.

Our States demand that you, first, immediately cease monetizing child exploitation and promoting exploitative content to anyone—not least to “likely pedophiles.” *Id.* That is, Meta must immediately cease promoting child exploitation. Second, Meta should immediately prohibit child-modeling accounts altogether, like other content-monetizing platforms. Anything less endangers children.


Sincerely,



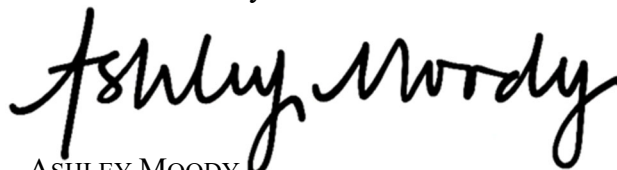
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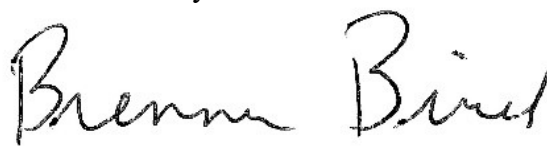
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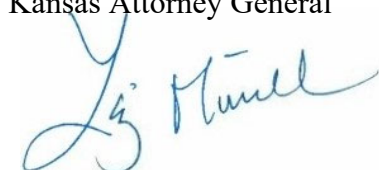
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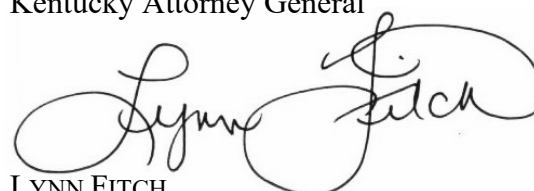
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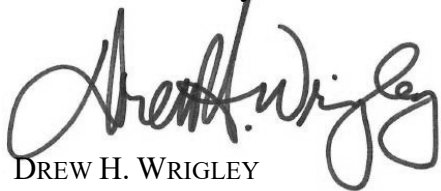
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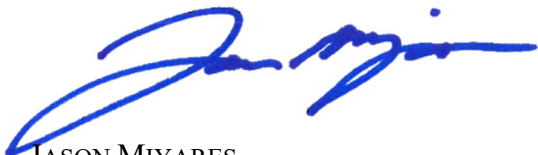
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