

GOVERNOR NEWSOM SIGNS FIRST-IN-THE-NATION LAW HOLDING SOCIAL MEDIA COMPANIES ACCOUNTABLE FOR CHILD SEX TRAFFICKING AND ABUSE

Contact

Ed Howard
Tel: (916) 844-5646
Email: ed.howard@sandiego.edu

Jessica Heldman
Tel: (619) 260-4806
Email: jheldman@sandiego.edu

(Sacramento) – Late last night, California Governor Gavin Newsom signed AB 1394 (Wicks and Flora), making California the first state in the nation to enact a law that expressly both (i) permits survivors of child sex trafficking and abuse to sue platforms for millions of dollars for knowingly contributing to child sex trafficking and (ii) requires platforms to establish a mandated process by which survivors of child sex abuse can demand that platforms remove videos and images of their abuse.

That social media platforms facilitate blatant child sex trafficking and abuse has been repeatedly documented, including by *The Wall Street Journal*.¹ That the platforms routinely ignore the pleas of survivors to remove re-traumatizing images and videos showing their child sex abuse has likewise been documented.

“Everybody who cares about elevating the needs of sexually abused children above Big Tech profits should thank Governor Newsom and Assemblymember Wicks for their leadership,” said Ed Howard, Senior Counsel at the Children's Advocacy Institute at the University of San Diego School of Law, which co-sponsored the bill with Common Sense Media and the American Association of University Women. The bill was opposed by TechNet and NetChoice, and several other business groups.

Jessica Heldman, Fellmeth-Peterson Associate Professor in Child Rights at the USD School of Law, added, “We have more to do to ensure these platforms do not knowingly cause other preventable harms to our kids, but today, California set an example for other states and Congress to follow in acting boldly to protect children.”

Ashlee Bryant, CoFounder and CEO of 3Strands Global Foundation, which works with survivors of child sex abuse and whose group was a prominent supporter of the bill, likewise expressed gratitude to Governor Newsom and Assemblymember Wicks and stated that “AB 1394 will permanently block reported child abuse material from being viewable on any social media platform and hold these platforms liable for playing a part in trafficking children.”

The text of the law, which goes into effect January 1, 2025, can be found here: https://leginfo.ca.gov/faces/billCompareClient.xhtml?bill_id=202320240AB1394&howamends=false. Information about the bill can be found here: <https://www.sandiego.edu/cai/documents/FINAL%20CAI%20SEPT%2015%201394%20GOV%20REQ%20FOR%20SIGNATURE%20LETTER.pdf>.

October 9, 2023

¹ On June 7, 2023, *The Wall Street Journal* published an investigative report titled “Instagram Connects Vast Pedophile Network.” <https://www.wsj.com/articles/instagram-vast-pedophile-network-4ab7189>.