

January 11, 2024

The Honorable Lauren Book,
Senate Democratic Leader
Florida Senate
404 S. Monroe Street,
Tallahassee, FL

Dear Senator Book,

The undersigned organizations write in opposition to SB 454. While we agree that protecting children from harm online is imperative, this bill makes vulnerable children and teens less safe. We urge you and your Democratic colleagues to oppose the bill and ensure it does not move forward.

SB 454 risks forcing platforms to be over-cautious in identifying harmful or inappropriate material, cutting off vital information, including potentially life-saving information, from children and teens. The bill requires platforms to scan all content directed at child users and imposes penalties on platforms for failing to identify all inappropriate content. The threat of those penalties will incentivize platforms to over-moderate and remove content to avoid liability. Experience has shown that this type of censoring sweeps up factual information about reproductive health, safe sex practices, and discussions in gender- and sexual orientation-affirming communities.

Given Republicans' attempts to ban abortion after 6 weeks in the state¹ and their continued attacks on the discussion of gender identity and sexual orientation in schools,² it is more important than ever that children in Florida can access factual information and empathetic communities. For children who depend on social media for information and communities that keep them safe, this bill risks denying access to critical resources.

Additionally, requiring platforms to enable parents to monitor and control their children's social media use would exacerbate abuse for some, and cut off access to online resources for others. Not every child has a healthy or supportive relationship with their parents. By allowing parents to control the time spent on certain platforms, SB 454 subjects teens who are experiencing domestic violence or other forms of abuse to additional forms of surveillance and control. By requiring platforms to track children's private messaging frequency, SB 454 risks eliminating encrypted messaging and makes it more difficult for children to safely reach out for help outside of their homes.

¹<https://www.plannedparenthood.org/planned-parenthood-southwest-central-florida/get-involved-locally/legislative-session>

² <https://www.wfla.com/news/politics/florida-education-board-expands-limits-on-sex-ed-instruction/>

For LGBTQ+ teens living in households without supportive parents, the bill similarly risks cutting off access to online resources and platforms. Nationwide, only 38% of LGBTQ+ youth report that they feel supported in their home.³ In a state that banned over 1000 books last year, largely targeting LGBTQ+ materials, the Internet is one of the last places that young adults can turn to for help, resources, community, and to connect with peers who identify as they do⁴. Forcing LGBTQ+ teens to receive parental permission to access those resources risks further isolating an already marginalized community and as outlined in the prior paragraph, places them in danger.

Finally, the bill's age verification requirements will invade the privacy of all internet users. In order to identify minor users, platforms will be forced to verify the age of every user. There is no consensus on the best methods to verify users' ages, but current practices include facial recognition and other biometric scans. Even less-invasive methods like requiring users to enter their birthdate or present an ID, would require widespread data collection and violate the principles of data minimization set out in Florida's Digital Bill of Rights.⁵

Ironically, any attempts by platforms to eliminate inappropriate content for children are hindered by SB 7072, which passed in 2021 with the support of this bill's author. That law requires platforms to explain the additional systems required by SB 454 in detail, giving abusers the knowledge they need to defeat the stated goal of the bill - to protect children and teens. To make matters worse, SB 7072 exempts political candidates and journalists (loosely defined) from content moderation decisions, giving them a free pass to violate platforms' safety and anti-harassment standards. As a result of the two bills, candidates would be free to post inappropriate content while health clinics could be censored.

We agree that children must be protected. In Florida, Republicans' attacks on content moderation, reproductive rights, and education have made children less safe. SB 454 would compound that effect, threatening children's access to factual information and subjecting them to increased surveillance. We urge you to oppose this bill.

Sincerely,
Chamber of Progress
EveryLibrary
LGBT Tech
PRISM FL, Inc.
The Pride Center at Equality Park
Woodhull Freedom Foundation

³ <https://www.thetrevorproject.org/survey-2023/#affirming-spaces>

⁴ <https://www.miamiherald.com/news/local/education/article279568719.html>

⁵ <https://www.flgov.com/2023/06/06/governor-ron-desantis-signs-legislation-to-create-a-digital-bill-of-rights-for-floridians/#:~:text=SB%20262%20gives%20consumers%20the,the%20sale%20of%20personal%20data>.