West Virginia E-Filing Notice

CC-20-2026-C-1339

Judge: David J. Hardy

To: Abby Cunningham
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NOTICE OF FILING

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA
Attorney General v. SNAP INC.,
CC-20-2026-C-1339

The following complaint was FILED on 11/5/2026 12:00:08 PM

Notice Date: 11/5/2026 12:00:08 PM

Cathy S. Gatson
CLERK OF THE CIRCUIT COURT
Kanawha County
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CC-20-2026-C-1339
Kanawha County Circuit Clerk
Cathy S. Gatson

GENERAL INFORMATION

IN THE CIRCUIT COURT OF KANAWHA COUNTY WEST VIRGINIA

Attorney General v. SNAP INC.,

First Plaintiff:	☐ Business	☐ Individual	**First Defendant:**	☑ Business	☐ Individual
	☑ Government	☐ Other		☐ Government	☐ Other

Judge: David J. Hardy

COMPLAINT INFORMATION

Case Type: Civil **Complaint Type:** Other

Origin: ☑ Initial Filing ☐ Appeal from Municipal Court ☐ Appeal from Magistrate Court

Jury Trial Requested: ☐ Yes ☑ No **Case will be ready for trial by:** _____

Mediation Requested: ☐ Yes ☑ No

Substantial Hardship Requested: ☐ Yes ☑ No

☐ Do you or any of your clients or witnesses in this case require special accommodations due to a disability?

- ☐ Wheelchair accessible hearing room and other facilities
- ☐ Interpreter or other auxiliary aid for the hearing impaired
- ☐ Reader or other auxiliary aid for the visually impaired
- ☐ Spokesperson or other auxiliary aid for the speech impaired
- ☐ Other: _____

☐ I am proceeding without an attorney

☑ I have an attorney: Abby Cunningham, 1901 KANAWHA BLVD E STE 401, CHARLESTON, WV 25305

SERVED PARTIES

Name: SNAP INC.,

Address: 3000 31st Street, Santa Monica CA 90405

Days to Answer: 30 **Type of Service:** Hold for Later Service

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IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA ex rel.
JOHN B. MCCUSKEY, Attorney General,

Plaintiff,

v. CIVIL ACTION NO. _____

SNAP INC.,
a Delaware corporation,

Defendant.

COMPLAINT AND PETITION FOR PERMANENT INJUNCTION, CONSUMER RESTITUTION, DISGORGEMENT, CIVIL PENALTIES, AND OTHER EQUITABLE RELIEF

Respectfully submitted,

JOHN B. MCCUSKEY,
ATTORNEY GENERAL OF WEST VIRGINIA

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IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA ex rel.
JOHN B. MCCUSKEY, Attorney General,

Plaintiff,

v. CIVIL ACTION NO. _____

SNAP INC.,
a Delaware corporation,

Defendant.

COMPLAINT AND PETITION FOR PERMANENT INJUNCTION, CONSUMER RESTITUTION, DISGORGEMENT, CIVIL PENALTIES, AND OTHER EQUITABLE RELIEF

This action is brought pursuant to the West Virginia Consumer Credit and Protection Act, West Virginia Code § 46A-1-101 et seq. ("the WVCCPA"). Plaintiff, the State of West Virginia by Attorney General John B. McCuskey ("the State" or "Attorney General") has reason to believe that Defendant, Snap Inc., has violated the WVCCPA. The State brings this action to enjoin and restrain the Defendant from engaging in unfair or deceptive acts or practices in the conduct of any trade or commerce declared unlawful by the WVCCPA, and to obtain restitution and other relief, as this Court deems appropriate. The State alleges as follows:

I. INTRODUCTION

1. West Virginia children and teenagers face an escalating crisis: widespread, compulsive use of social media. For many young people, these platforms have become a constant presence in their lives, commanding their attention; interfering with sleep, physical activity, schoolwork, family life, and in-person relationships; distorting how they view themselves and others; and exposing them to harmful content, dangerous challenges, bullying, harassment, abu-

sive interactions, and potential exploitation. The companies operating these platforms shape those experiences through features that encourage prolonged use, recommendation systems that determine what children see, and representations that influence whether parents permit their children to use them.

2. These platforms are not passive communication tools. They are deliberately designed to capture child users' attention, encourage habitual use, and keep them scrolling for as long as possible, exposing children and teens to serious risks to their mental and physical well-being.[1] The resulting risks arise from how the platforms operate, including how they select and repeatedly deliver content, draw users back to the platform again and again, and make it difficult to disengage. Parents deciding whether a platform is appropriate for their children depend on truthful information about those features.

3. Compulsive use can displace sleep, physical activity, schoolwork, family relationships, and in-person social development, while contributing to anxiety, depression, attention problems, low self-esteem, body dissatisfaction, eating disorders, self-harm, and suicide. Features designed to prolong usage sessions and pull users back to the platform can intensify that displacement. When a platform conceals those effects or presents ineffective measures as meaningful protection, families lack information necessary to understand and guard against risks.

4. Recommendation systems and interaction features also shape the risks children encounter on social media platforms. Children and teenagers may be exposed to sexual, violent, drug-related, and other age-inappropriate content; bullying and harassment; and algorithms that repeatedly amplify material exploiting a young user's interests, insecurities, or vulnerabilities.

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[1] U.S. Dep't of Health & Hum. Servs., Off. of the Surgeon Gen., *Social Media and Youth Mental Health: The U.S. Surgeon General's Advisory* at 9–10, 13 (2023), https://perma.cc/JS3V-KYPY.

Repeated recommendations can turn an initial encounter with harmful material into a virtually endless stream of similar content. Platform features that make children discoverable--and reachable--can expose children to predators. Predators can and do use social media to identify, contact, deceive, groom, threaten, and extort child users, including by coercing them to produce sexual images or videos. Information publicly available through a child's social media presence can enable a predator to impersonate a peer, manufacture familiarity, and gain the child's trust before a parent is even aware that contact has occurred. Parents rely on platforms' representations about age restrictions, privacy protections, and safeguards against unwanted contact when deciding whether their children can safely use them.

5. The WVCCPA is designed to protect consumers – including children – from these harms. It represents a "comprehensive attempt on the part of the West Virginia Legislature" to "protect consumers from unfair, illegal and deceptive business practices." *Harper v. Jackson Hewitt, Inc.*, 227 W. Va. 142, 151, 706 S.E.2d 63, 72 (2010). The WVCCPA is "intended to deter deceptive practices" and its ultimate aim is to "protect the public as a whole" by "punish[ing] and deter[ing] . . . wrongdoer[s]." *State ex rel. Dodrill Heating & Cooling, LLC v. Akers*, 246 W. Va. 463, 471, 874 S.E.2d 265, 273 (2022).

6. This action concerns Snapchat's[2] role in exposing West Virginia children to these same kinds of harm, its platform design and features that intensify those risks, and the company's efforts to conceal those risks from parents, children, and the public. Snapchat controls how children connect and communicate with others on the platform, what content they see, and the

[2] Citations to documents with the prefix "SNAP" followed by digits refer to Bates numbers for unsealed documents disclosed in other litigation. To view documents related to Snapchat, *see* https://www.motleyrice.com/social-media-lawsuits/evidence-library.

features that encourage prolonged use. Snapchat also controls what it tells families about those features and platform safeguards, and what it chooses to omit.

7. Snapchat is a social media platform through which users create and share photos, videos, and messages, including through one-to-one communication between individuals and groups. Users also encounter public content that Snapchat itself selects and ranks, which appears as recommended content accessible through certain app functions. Unlike other social media platforms that place users in a feed filled with recommended content, Snapchat immediately activates the user's camera when the app is opened, encouraging the user to capture a moment of themselves right away. Users can create and share photos and videos; exchange private and group messages; make voice and video calls; follow other accounts; view Stories; and browse, favorite, comment on, and share recommended videos in Spotlight, advancing from one video to the next with a simple upward swipe.

8. A defining feature of Snapchat is the platform's emphasis on ephemeral content: photos, videos, and messages are generally set to disappear automatically after viewed, or after a specified period. This design often creates an expectation that communications are temporary, even though recipients may save, capture, or record them. The ephemeral nature of content can create pressure to return to the platform so users do not miss what is happening there.

9. Consumers provide Snapchat with access to their personal data in exchange for access to the platform's content library, the ability to communicate with other users, and access to other platform features. Snapchat markets these services to children and their parents with assurances about privacy, safety, and specific protections for teenagers. Those assurances influence whether families accept the bargain Snapchat offers and whether their children are allowed to begin and continue using the platform.

10. Snapchat is one of the world's largest and most widely used social media platforms. Its Google Play listing reports at least one billion downloads worldwide and ranks Snapchat as the number two application in the "Communication" category, second only to Meta's WhatsApp Messenger.[3] Snapchat reports that the platform had 971 million monthly active users and 493 million daily active users worldwide in the second quarter of 2026.[4] The company claims that Snapchat has more than 110 million monthly active users in the United States.[5] This enormous audience supplies Snapchat with a continuous stream of information about how users interact with the app's content and with one another. Snapchat uses this information to personalize users' experiences, select and rank recommended content, and prolong the amount of time users spend on the app.

11. Snapchat is especially popular and intensely used by American children, including children in West Virginia. According to a nationally representative 2025 Pew Research Center survey, 55% of U.S. teenagers use Snapchat. Forty-six percent reported using the platform every day, and 12% say they use it "almost constantly."[6] Snapchat is therefore not merely familiar to or occasionally used by American youth; it is woven into the daily lives of tens of millions of children, including a substantial number in West Virginia, and many of whom return to the platform repeatedly throughout the day.

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[3] *Snapchat*, Google Play, https://perma.cc/X3S6-69GF (last accessed Oct. 6, 2026) (reporting "1B+" downloads and Snapchat's #2 ranking in the Communication category).

[4] Snapchat, *Snap Inc. Announces Second Quarter 2026 Financial Results* (Aug. 3, 2026), https://perma.cc/K84T-ATX2.

[5] Snapchat for Business, *Are You Showing Up Where the Next Generation is Actually Connecting?*, LinkedIn, https://perma.cc/LC4D-68LT (last accessed Oct. 6, 2026).

[6] Michelle Faverio & Olivia Sidoti, *Teens, Social Media and AI Chatbots 2025*, Pew Research Center (Dec. 9, 2025), https://perma.cc/FS58-53DU.

12. Snapchat cultivated this enormous youth audience while concealing the dangers its platform poses to children. Snapchat deliberately designed its platform to encourage compulsive use through features such as repetitive push notifications, endless scroll, autoplay, Snapscores, and Snapstreaks, despite knowing the risks to children's health and wellbeing.[7] At the same time, Snapchat misrepresented or concealed the nature and severity of the sexual, violent, drug-related, and other mature content on its platform; downplayed the prevalence of eating disorder, self-harm, suicide, and harmful body image content; downplayed the risks of social comparison and other mental health harms; minimized the risks of sexual exploitation, harassment, and inappropriate adult contact; encouraged participation in dangerous activities; concealed risks from parents and the public; and continued to market Snapchat as safe and age-appropriate for children as young as 13. Snapchat made these misrepresentations through its app store ratings and its own public statements. These misrepresentations and omissions concern the very characteristics that families consider when deciding whether a social media platform is appropriate for their children. Snapchat intended West Virginia families to rely on the platform's assurances of safety and security while simultaneously withholding information about known dangers and the limitations of the platform's supposed safeguards.

13. For years, Snapchat has represented to the public that it prioritizes child safety, responds promptly to reports of sextortion, and acts quickly to address them. The company has reinforced those assurances by portraying Snapchat as a platform designed for people who already know and trust one another.[8] But Snapchat's own records tell a different story. In June

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[7] SNAP0886473; SNAP4389271; SNAP3151495.

[8] Testimony of Jennifer Stout, Vice President of Global Public Policy, Snap Inc., *Protecting Kids Online: Snapchat, TikTok, and YouTube*, Senate Committee on Commerce, Science, and Transportation, Subcommittee on Consumer Protection, Product Safety, and Data Security (Oct. 26, 2021), https://perma.cc/JRR8-NX8F.

2022, Snapchat acknowledged that grooming was prominent on the platform, that predators felt confident because Snapchat had not gone looking for them, and that the company was not using grooming-specific detection technology.[9] By October 2022, Snapchat's Trust & Safety team described itself as "down to the bone" and unable to react quickly to unexpected changes or new requests.[10] Snapchat also acknowledged that the team lacked full around-the-clock coverage, directly contradicting its representation to Congress that its "Trust & Safety team works 24/7 to review reports" of child sexual exploitation.[11] Snapchat's public assurances concealed the gap between the protections it touted and the reality of the platform's design and operation. For West Virginia children who have been groomed, coerced, or blackmailed through the platform, the consequences of the gap between Snapchat's assurances and its actual practices are clear.

14. These harms and risks are not abstract. They're real. And they're happening in West Virginia.

15. West Virginia children have experienced exploitation through Snapchat. A former elementary school counselor in Kanawha County used a Snapchat account to pose as an 18-year-old and communicate with girls he knew through his employment, including two girls that were approximately 12 years old.[12] A Beckley man used Snapchat to ask a 15-year-old to produce a video of sexual activity and arrange an in-person encounter.[13] In another case, a registered sex offender in California coerced a West Virginia child into sending sexually explicit images

[9] SNAP5288465.

[10] SNAP0419215.

[11] *Id.*; Testimony of Jennifer Stout, *supra* note 8.

[12] U.S. Attorney's Office for the Southern District of West Virginia, *Former Pinch Elementary Counselor Pleads Guilty to Child Exploitation Crimes* (June 13, 2022), https://perma.cc/Q668-U864.

[13] U.S. Attorney's Office for the Southern District of West Virginia, *Beckley Man Pleads Guilty to Child Pornography Offense* (Mar. 18, 2021), https://perma.cc/QV4J-TKZW.

through Snapchat. He also sexually solicited a second West Virginia child and later drove across the country in an attempt to meet both victims.[14] These cases demonstrate how contact through Snapchat can lead to sexual exploitation and attempts to reach children in person.

16. These examples serve as evidence of a worldwide problem involving the widespread sexual exploitation of children online, including through platforms like Snapchat. A 2025 systematic review and meta-analysis of 123 studies from 57 countries estimated that, during a single year, approximately one in eight children experienced online sexual solicitation and a similar proportion experienced the nonconsensual taking, sharing, or exposure to sexual images or videos. The study also estimated that 3.5% of children experienced sexual extortion, or "sextortion," during the preceding year.[15] Snapchat's platform provides a means for predators to manipulate children through sextortion.

17. Sextortion is a form of blackmail in which a predator tricks child victims into providing the predator with sexually explicit images and then threatens to share the content with the child's family, friends, or classmates unless the victim pays money, sends additional sexual content, or provides sexual favors. Sextortion of a child victim does not occur in a vacuum; rather, it typically follows a campaign of deception in which a predator uses information learned about the child through social media to create a believable false identity, build familiarity and trust, and then leverage that trust to coerce the child into sending the predator explicit material.[16]

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[14] U.S. Attorney's Office for the Southern District of West Virginia, *Registered Sex Offender Sentenced to 37 Years in Prison for Child Exploitation Crimes* (Apr. 28, 2025), https://perma.cc/U6AX-TD4N.

[15] Deborah Fry et al., *Prevalence Estimates and Nature of Online Child Sexual Exploitation and Abuse: A Systematic Review and Meta-Analysis*, 9 Lancet Child & Adolescent Health 184, 184 (2025), doi:10.1016/S2352-4642(24)00329-8.

[16] U.S. Department of Justice, *Sextortion, Crowdsourcing, Enticement, and Coercion* 1–2, 5–7 (2023), https://perma.cc/F6NB-KDWD; Federal Bureau of Investigation, *Sextortion*, https://perma.cc/WV4R-CDQD; Federal Bureau of Investigation, *Financially Motivated Sextortion*, https://perma.cc/JGP2-D2TP.

The information used to gain the child's trust becomes a means of control: the predator identifies specific friends or family members who will receive the sexual images unless the child complies with further demands, making the threat of exposure concrete, and increasing the likelihood the child will be cowed into compliance.[17] Some children comply due to their fear of public exposure. For some children, including in West Virginia, the fear and desperation caused by sextortion has resulted in suicide.

18. On November 6, 2025, Bryce Tate, a fifteen-year-old honors student at Nitro High School, became the target of a sextortion scheme that began on Snapchat and ended with his death three hours later. Bryce was an exemplary student and enjoyed basketball and lifting weights. He had a close relationship with his parents and was actively involved in his church. His family reported no warning signs before his death and only learned what happened after investigators examined Bryce's cellphone.

19. Bryce was initially contacted by his predator while he was exercising at the gym after school. The predator posed as a seventeen-year-old girl who claimed to know Bryce. Although he had never met or spoken with the purported girl, the person relayed enough accurate information that the approach appeared credible. The communications continued as Bryce's mother picked him up from school and drove him home.

20. Throughout the communication exchanges, Bryce believed he was speaking with a teenage girl that was interested in him. The perpetrator exploited that false romantic interest to initiate an exchange of intimate images. After sending Bryce images purportedly depicting the girl, the perpetrator asked Bryce to send similar pictures of himself. Once Bryce sent the images,

[17] Federal Bureau of Investigation, *Financially Motivated Sextortion*, https://perma.cc/JGP2-D2TP.

the pretense of romantic interest dropped, and threats of blackmail began. The predator demanded payment of $500.00 and threatened to release the images publicly if Bryce failed to comply, telling him that the exposure would ruin his life and his family's.

21. Distraught and fearful, Bryce offered to pay all the money he had—just $30.00—but that wasn't enough for his tormentor. According to Bryce's father, the predator sent 120 messages in the span of about twenty minutes, an average of about one message every ten seconds, and imposed a deadline after which Bryce's intimate images would be released. That deadline became a "doomsday clock," making the threatened exposure imminent while the relentless messages kept Bryce in a state of panic. His father reported that the predator reinforced that there was no way out and pressured Bryce to take his own life—and he did so. Bryce was gone just three hours after initial contact by his predator through Snapchat.

22. Bryce's death underscores the devastating stakes of the risks Snapchat concealed. Families deciding whether their children should use Snapchat were entitled to truthful information about how the platform operated, the dangers Snapchat knew children faced, and the limits of the protections it advertised. Instead, Snapchat promoted safety and privacy to attract and retain young users while withholding information that contradicted those assurances. West Virginia children and families bore the consequences. Through this action, the State seeks to hold Snapchat accountable under the West Virginia Consumer Credit and Protection Act for those unfair and deceptive practices and to protect West Virginia's most vulnerable citizens—its children.

II. THE PARTIES

23. The Plaintiff, the State of West Virginia, brings this action by and through John B. McCuskey, Attorney General for the State of West Virginia.

24. The Attorney General of the State of West Virginia is empowered to enforce the provisions of the WVCCPA. He brings this action in the public interest pursuant to the authority granted by W. Va. Code §§ 46A-7-108, -110, and -111 upon the grounds that Snapchat has engaged in unfair or deceptive acts and practices in or affecting trade or commerce, which is declared unlawful by W. Va. Code § 46A-6-104.

25. Snap Inc., ("Snapchat") is a foreign for-profit entity incorporated in Delaware regularly transacting, soliciting, and conducting business in West Virginia. Snapchat is headquartered at 3000 31st Street, Santa Monica, California. Snap's North American operations yielded over $5.3 billion in worldwide revenue in 2024. Snapchat is valued at more than $12 billion.

III. JURISDICTION AND VENUE

26. This Court has jurisdiction to hear this matter pursuant to W. Va. Const. art. VIII, § 6 and W. Va. Code § 51-2-2, § 53-5-3, § 53-5-4, and § 56-3-33.

27. This Court has personal jurisdiction over Snapchat because Snapchat maintains the kind of continuous and systematic general business contacts with West Virginia that approximate physical presence. Snapchat engages in the course of trade or commerce within West Virginia by soliciting or engaging in business within the state.

28. Venue is proper in this Court pursuant to W. Va. Code § 46A-7-114 and W. Va. Code § 56-1-1 because Snapchat's conduct as alleged herein took place throughout the State of West Virginia, including in Kanawha County.

IV. FACTUAL ALLEGATIONS

A. Overview of Snapchat

29. The Snapchat app is a social media platform that enables its users to create, share, and consume digital content—primarily photos and videos. The major elements of Snapchat, as they exist today, are briefly described below.

30. Generally, the Snapchat app opens to a screen on which the user can take photos or videos through the device's camera. Users may create content by taking photos or videos on this screen or by importing existing photos or videos stored on their devices.

31. The Snapchat app allows users to modify their photos or videos, including by adding user-generated text or freehand drawings or by adding supplementary content created by Snap. For example, Snapchat makes "Lenses" available, which alter the appearance of human faces or other content in photos or videos. Photos and videos thus taken and modified are known as "Snaps."

32. On Snapchat, users can add other users as "Friends." So-called "Friends" on Snapchat may not actually know each other in real life. Users can share their Snaps with their Friends individually or in groups, or they can send messages to Friends using the "Chat" function. Shared Snaps and Chats are usually ephemeral, meaning that the recipient can view them only for a limited time, for example, 24 hours, and once viewed, Snaps remain available for a limited time, for example, ten seconds.

33. Snapchat displays metrics for users that track the frequency of the user's correspondence with Friends. "Snapscore" is a metric that measures a user's overall activity and engagement with the app. "Snapstreaks" is a metric that records the number of consecutive days

both users have sent Snaps to one another. “Best Friends” is a metric that measures, relatively speaking, who a user communicates with most frequently.

34. A user may also send Snaps or Chats to “My AI” in Snapchat, a chatbot that generates responses using generative artificial intelligence. The user exchanges content with “My AI” in the same way as any other Snapchat Friend.

35. Another Snapchat feature is “Stories,” which allows “Snaps” to be shared with all of a user’s Friends, or a subset of Friends. By default, Snaps posted to Stories are available for viewing for 24 hours and can be viewed by other users an unlimited number of times during that period. Users can see a list of other users who have viewed any particular Story, which also allows them to know who among their friends has not viewed a particular Story. A Story posted to a subset of a user’s Friends is known as a “Private Story.”

36. The “Search” function on Snapchat allows users to find “Friends.” They can search for names or words, and the search results are based on the user’s search terms as well as the user’s past activity on the app.

37. The “Find Friends” feature also recommends other users to add as “Friends.” This feature makes recommendations based on an algorithm that considers the user’s activity on Snapchat.

38. Snapchat also allows a user to view Snaps created by other users without adding them as “Friends.”

39. The “Snap Maps” feature allows users to view Snaps that are associated with physical locations on a map. Any Snapchat user can add Snaps to locations on the Snap Map. The Snap Map feature also allows users to see their friends’ locations, if their friends enable location sharing.

40. Snapchat's "Spotlight" feature allows users to scroll through short-video Snaps in a never-ending feed. "Spotlight" features infinite scrolling—a user will never get to the "end" of the content—and each video plays automatically, one after another. Any Snapchat user may post Snaps in Spotlight. Users do not control what appears in their Spotlight feed as Snapchat's algorithm selects which content to play and their order.

41. Snapchat's "Discover" feature is similar: it allows users to view photo and video content from publishers, creators, and Public Stories from other eligible Snapchat users in a feed with infinite scroll and auto-play. Here, too, users do not control what appears in Discover because Snapchat's algorithm selects what content to display.

42. Snapchat also offers, for a recurring fee, its Snapchat+ product, which adds a set of many additional elements to the Snapchat app that are unavailable to non-paying users. One such additional element, for example, is the capability for a user to view their position in a friend's "Best Friends" list.[18] Another feature is the "Friend Solar System," which represents a user as the Sun and ranks another user's position among that person's eight Best Friends using planets, with Mercury representing the closest friend and Neptune the eighth closest.[19] Snapchat advertises Snapchat+ to its users in various parts of the app.

43. Snapchat also allows users to make in-app purchases. For example, a user may opt to pay a one-time fee to restore a "Snapstreak" that has ended.

44. Children are a core demographic Snapchat. CEO Evan Spiegel remarked that he and his cofounder "were thrilled to hear that most of [Snapchat's users] were high school

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[18] Snapchat Support, *How do Best Friends Work on Snapchat*, https://perma.cc/GA2D-5W3G (last accessed Nov. 4, 2026).

[19] Snapchat Support, *How Do Friend Solar Systems Work?*, https://perma.cc/V346-7UXW (last accessed Nov. 4, 2026).

students who were using Snapchat as a new way to pass notes in class—behind-the-back photos of teachers and funny faces were sent back and forth throughout the day. Server data supported this and we saw peaks of activity during the school day and dips on the weekends."[20]

45. Snapchat says its app "delivers on the emotions that Gen Z seeks and it does so consistently across the platform. . . . Remember, this is a group that plays a major role in this eye-popping stat: People who use Snapchat open the app 30+ times a day and send 4 billion+ messages."[21] The youngest members of Gen Z were born in 2012.

46. Today, millions of children in the United States use Snapchat, including children in West Virginia.

B. Snapchat's Safety Representations

47. Snapchat has established its enormous market share among teenage users of social media in part by marketing Snapchat as safe for minor users. It has achieved that market share through numerous misrepresentations and by deceiving consumers, including consumers in West Virginia. Specifically, Snapchat claims an inaccurate age rating (with related misrepresentations) in the Apple App, Google Play, and Microsoft stores; offers Family Center parental controls that it knows to be ineffective at protecting minors from known mental health harms; and fails to disclose the app's design features that encourage harmful compulsive use.

i. **Age Rating Representations**

48. As part of its intentional marketing of its app as safe, Snapchat assigns itself a "13+" rating in the Apple App Store and a "T for Teen" rating in the Google Play and Microsoft

[20] Evan Spiegel, *Let's Chat*, Snapchat (May 9, 2012), https://perma.cc/AE97-TZ3L.

[21] *What Does Gen Z Want From Brands?*, Snapchat for Business (June 22, 2023), https://perma.cc/8DMV-T3KE.

Stores. Consumers are presented with these age ratings when they download Snapchat on a smartphone.

49. These age ratings are highly deceptive because Snapchat hosts enormous amounts of mature content inappropriate for younger children, facilitates dangerous activities, and employs psychologically harmful features throughout its platform, as detailed below.

50. Apple requires app developers like Snapchat to complete an age-rating questionnaire describing the app's content and features. For applications like Snapchat that host user-generated content, Apple instructs developers to base their age rating on the most mature content users can access through using the app.[22] Apple's reasoning for this requirement is well founded—many children and teens download apps, and app developers "have to do [their] part" to keep kids safe.[23] Apple also tells developers to answer the age-rating questions honestly. Doing so helps parental controls work correctly and warns users about an app's content. Apple cautions that an incorrect age rating could surprise consumers or attract regulatory attention.[24]

51. Apple's age-rating questionnaire is a self-reporting process. It requires the developer to identify the app's features and controls and to disclose the frequency of potentially objectionable content, including profanity or crude humor, mature or suggestive themes, sexual content or nudity, and alcohol, tobacco, or drug use or references. The developer selects the response that describes how often each type of content appears in the app, and Apple uses those

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[22] Apple, Inc., *App Store Review Guidelines* § 1.2.1, "Creator Content," https://perma.cc/27QU-SD83 (last accessed Nov. 4, 2026).

[23] Apple, Inc., *App Store Review Guidelines*, "Before You Submit," https://perma.cc/WB3X-746U (last accessed Nov. 4, 2026).

[24] Apple, Inc., App Store Review Guidelines § 2.3.6, "Accurate Metadata," https://perma.cc/WD2F-EZKX (last accessed Nov. 4, 2026).

answers to calculate the app's age rating.[25] Importantly, if the developer believes that Apple's assigned age rating is too low, the developer can override Apple's calculation and select a higher age rating.[26] Snapchat knows that the age rating it selects for the Snapchat app will be displayed directly to consumers, and it specifically intends for its age rating statements to be communicated directly to West Virginia consumers.

52. Historically, Snapchat reported that its app contained only "infrequent/mild" profanity or crude humor, mature or suggestive themes, sexual content or nudity, and references to or use of alcohol, tobacco, or drugs. Those descriptions appeared on Snapchat's App Store listing. Snapchat's answers to Apple's age-rating questionnaire caused Apple to recommend a "12+" age rating for the app. Among other things, Apple described that rating as permitting infrequent or mild language and mature or suggestive themes. The next and highest available rating was "17+," which covered frequent or intense offensive language, violence, mature or suggestive themes, sexual content or nudity, and alcohol, tobacco, or drugs.[27] Snapchat could have selected the higher rating. It failed to do so.

53. Apple revised its rating system in 2025 to provide ratings of 4+, 9+, 13+, 16+, and 18+. Under that system, Snapchat again reported only "infrequent" profanity or crude humor, mature or suggestive themes, sexual content or nudity, and alcohol, tobacco, or drug use or references, in order to support a "13+" app store rating. Apple's 13+ category permits

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[25] Apple, Inc., *Set an App Age Rating*, App Store Connect Help, https://perma.cc/BPT9-9CP7 (last accessed Nov. 4, 2026).

[26] *Id.*

[27] Apple Inc., *Age Ratings Values and Definitions*, "Age Ratings on OS Versions Earlier than 26," App Store Connect Help, https://perma.cc/2TMV-QFYE (last accessed Oct. 6, 2026). Digital Childhood Institute, *Letter to the Federal Trade Commission*, at 17 (Aug. 19, 2025) (reproducing Snapchat's Apple App Store listing), https://perma.cc/SEV3-BGC3.

infrequent instances of drug-related content, sexual content or nudity, and realistic violence, along with frequent profanity or crude humor and certain other content. Apple's 16+ category includes frequent mature or suggestive content, while its 18+ category includes frequent content related to alcohol, tobacco, or drugs, sexual content or nudity, and realistic violence.[28]

54. Like Apple's age-rating process, the age-rating processes used by the Google Play Store and the Microsoft Store depend substantially upon information supplied by the app developer. Both Stores participate in the International Age Rating Coalition ("IARC"), which provides a common rating system for participating in digital storefronts. The developer must complete a questionnaire describing the application's content and functionality, which IARC then uses to generate ratings under the standards applicable in different jurisdictions. In the United States, the developer's responses generate ratings based on standards promulgated by the Entertainment Software Rating Board ("ESRB"), such as Everyone, Teen, or Mature 17+.[29]

55. Both Google and Microsoft require developers to provide accurate responses to the IARC questionnaire.[30] Google explains that content ratings are intended to inform consumers, "especially parents," about potentially objectionable content in an application and may be used to filter or block applications from particular users. Google warns that misrepresenting an application's content may result in its removal or suspension and requires a

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[28] Apple Inc., *Age Ratings Values and Definitions*, App Store Connect Help, https://perma.cc/K2XS-QWEM (last accessed Nov. 4, 2026).

[29] International Age Rating Coalition, *How IARC Works*, https://perma.cc/HRA9-LQ2A (last accessed Nov. 4, 2026); Entertainment Software Rating Board, *Ratings Guide*, https://perma.cc/7HZZ-D32W (last accessed Nov. 4, 2026).

[30] Google LLC, *Content Ratings*, Play Console Help ("You must accurately complete the Play Console questionnaire for every app"; "Misrepresentation of your app's content may result in removal or suspension") https://perma.cc/RQ22-PHB7 (last accessed Nov. 4, 2026); Microsoft Corp., *Microsoft Store Policies* § 11.11 ("You are responsible for accurately completing the International Age Rating Coalition (IARC) rating questionnaire during submission to obtain the appropriate rating."), https://perma.cc/QHS3-UPG2 (last accessed Nov. 4, 2026).

developer to submit a new questionnaire when changes to an app's content or features affect the developer's prior responses.[31]

56. Microsoft similarly explains that age ratings identify the audience for which an application's content is suitable and uses the IARC-generated rating information when displaying applications to consumers in different markets.[32] Like Google, Microsoft also makes developers responsible for accurately completing the IARC questionnaire to obtain the appropriate rating.[33] That accuracy requirement is part of Microsoft's Store Policies, and Microsoft warns that applications that violate those policies may fail certification or be removed from the Microsoft Store.[34]

57. The Snapchat app is rated "Teen" on the Google Play Store and Microsoft Store in the United States. Under the ESRB standards used by IARC in the United States, a Teen rating is generally suitable for users age 13 and older and may contain violence, suggestive themes, crude humor, minimal blood, simulated gambling, or infrequent use of strong language. By contrast, the next higher ESRB rating, Mature 17+, is generally suitable for users age 17 and older and may contain intense violence, blood and gore, sexual content, or strong language.[35] Although Snap's underlying questionnaire responses are not publicly available, the resulting

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[31] Google LLC, *Content Ratings*, Play Console Help, https://perma.cc/RQ22-PHB7 (last accessed Nov. 4, 2026) ("All apps must have a content rating from the IARC"; ratings are intended to inform consumers, "especially parents"; misrepresentation may result in removal or suspension).

[32] Microsoft Corp., *Age Ratings*, Microsoft Learn, (describing age ratings as "content suitability classifications that indicate the appropriate audience"), https://perma.cc/9SRG-LKUR (last accessed Nov. 4, 2026).

[33] *Id.*

[34] Microsoft Corp., *Get Started with the Microsoft Store: Frequently Asked Questions*, https://perma.cc/7X9N-CL6H (last accessed Nov. 4, 2026) ("Violations of Microsoft Store Policies may result in failed submissions or removal from the Store.").

[35] Entertainment Software Rating Board, *Ratings Guide: Rating Categories*, https://perma.cc/7HZZ-D32W (last accessed Nov. 4, 2026).

Teen rating demonstrates that Snapchat represented its content and features are mild enough for a middle-school-aged audience.

58. Snap's Teen rating is also significant because the IARC questionnaire considers the user-generated content available through the application in determining the app's rating. The questionnaire asks whether users can freely exchange content they create, including communicating with other users, commenting on content, sharing photographs, or exchanging other user-created material.[36] It also asks whether users may publicly share nudity or graphic violence and whether content exchanged between users is moderated.[37]

59. The difference in an app's rating directly affects children's access. Apple's parental controls can prevent children from downloading apps that exceed the maximum age rating selected by their parents and may also prevent those apps from appearing in portions of the App Store. By retaining a 12+ rating, and now a 13+ rating, Snapchat remains available under parental-control settings that would otherwise restrict an app rated 16+, 17+, or 18+.[38] [39] Google Play and Microsoft similarly use age ratings in parental controls that restrict children's access to apps based on their maturity level.[40] Thus, Snapchat's 12+, 13+, and Teen ratings do more than

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[36] Google LLC, *Online Interaction or Content Exchange*, Play Console Help, https://perma.cc/XRU8-REMG, (last accessed Nov. 4, 2026).

[37] Google LLC, *Public Sharing of Nudity or Gore*, Play Console Help, https://perma.cc/73DT-RX92, (last accessed Nov. 4, 2026).

[38] Apple Inc., *Maintaining a Safe App Store Experience* (Sept. 17, 2026) https://perma.cc/U9ZM-T2TY ("Screen Time—Content Restrictions help prevent your kids from downloading apps that exceed the age ratings you have set. They also stop your kids from seeing those apps in certain places in the App Store.").

[39] Snapchat can voluntarily raise its Apple App Store age rating to 16+ or 18+ at any time by overriding Apple's calculated age rating. It has chosen not to do so.

[40] Google LLC, *How to Set Up Content Restrictions on Google Play*, Google Play Help, https://perma.cc/LK6K-YCV5 (last accessed Nov. 4, 2026) (parental controls permit users to "choose the highest content rating" allowed for app and game downloads or purchases); Microsoft Corp., *Get the Microsoft Family Safety App*, Microsoft Support,

describe the platform's content—they allow Snapchat to remain accessible to child users who could be prevented from accessing it if the platform were rated for an older audience.

ii. **Community Guidelines and Enforcement Assurances**

60. Snapchat reinforces its representations that Snapchat is appropriate for child users through its Community Guidelines. Snapchat tells consumers that the Guidelines were created to encourage self-expression while "helping Snapchatters stay safe" and govern what is and is not allowed on Snapchat. Snapchat represents that the Guidelines apply to "all content and all who use or interact with Snapchat," including private communications, public content, and interactions between users.[41]

61. Snapchat further represents that it enforces its Community Guidelines through content moderation and account enforcement. Snapchat describes its moderation system as combining automated tools and human review, with additional standards for content recommended on public surfaces such as Spotlight, Discover, and Snap Map. Snapchat represents that Spotlight content undergoes automated review before recommendation and human review after reaching a specified number of views, before it can reach a large audience.[42] Snapchat also tells consumers that users can report accounts and content directly to its safety teams, that those teams evaluate reports and take appropriate action, and that users typically

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https://perma.cc/9M84-P6NA, (last accessed Nov. 4, 2026) (Family Safety can block inappropriate content and notify parents when children seek to download "a more mature app or game from the Microsoft Store with age limits").

[41] Snap Inc., *Community Guidelines*, https://perma.cc/432Z-DGXZ (last accessed Nov. 4, 2026).

[42] Snap Inc., *Snapchat Moderation, Enforcement, and Appeals*, "Content Moderation" section (updated Sept. 2026), https://perma.cc/9L5T-FM9Q; Snap, *Content Recommendation Eligibility*, https://perma.cc/X33E-M732 (last accessed Nov. 4, 2026).

receive notice of the outcome within hours. Snapchat further represents that content reported through the app can be retained and reviewed even if it would otherwise disappear.[43]

62. The Community Guidelines identify categories of content and conduct that Snapchat represents are prohibited, including child sexual exploitation, grooming, sextortion, pornography, bullying and harassment, dangerous behavior, promotion of suicide and self-harm, eating disorders, and the sale or promotion of specified drugs and other regulated goods.[44] Snapchat separately represents that content must satisfy its Content Guidelines for Recommendation Eligibility before it can be algorithmically recommended beyond a creator's friends or followers. Those additional guidelines address content that may remain on Snapchat but is unsuitable for broader recommendation. Snapchat expressly identifies users as young as thirteen among those these protections are intended to serve and states that sensitive content may be withheld from recommendation to minors and that its overall density in recommendations to other users is limited.[45] Those restrictions depend on Snapchat accurately identifying minor users, even though the company knew that users could misrepresent their ages and that its own age estimates frequently differed from the ages users reported.

63. Snapchat's representations are particularly significant to parents. Through its age-rating representations and community guidelines, Snapchat conveys that its protections extend to both the content children encounter and their interactions with other users.

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[43] Snap Inc., *Snapchat Moderation, Enforcement, and Appeals*, "Reporting to Snapchat" section (updated Sept. 2026), https://perma.cc/9L5T-FM9Q.

[44] Snap Inc., *Community Guidelines*, "Sexual Content," "Threats, Violence, and Harm," "Harassment and Bullying," and "Illegal or Regulated Activities" sections, https://perma.cc/432Z-DGXZ (last accessed Nov. 4, 2026).

[45] Snap Inc., *Community Guidelines*, "Additional policies and restrictions may apply" section, https://perma.cc/432Z-DGXZ; Snap Inc., *Content Recommendation Eligibility*, introductory explanation, "How are these Recommendation Eligibility Guidelines applied?" and "Sensitive Content", https://perma.cc/X33E-M732 (last accessed Nov. 4, 2026).

64. Snapchat's age-rating representations are deceptive because they both affirmatively misrepresent the Snapchat app and willfully omit material facts about the Snapchat app. The relationship between Snapchat and its users (or their parents) is such that Snapchat has a duty to disclose material facts about the content available on the Snapchat app, based on the company's superior knowledge about its own app and based on objective circumstances.

C. Snapchat's Practices Contradict its Safety Representations

65. Snapchat tells parents that its platform is appropriate for child users and protects them from mature and harmful content, and that its safety tools, including Family Center, provide parents with an easy way to keep track of what their children are doing on the app. The reality is different. Child users can readily encounter content on Snapchat that is inconsistent with the app's age ratings and Community Guidelines, and the tools Snapchat promotes as parental controls give parents little actual control. These failures are systemic and undermine Snapchat's broader representations to West Virginia consumers that the platform is safe for child users.

i. Snapchat Misleads Consumers About Its Moderation and Enforcement

66. Snapchat represents that its Community Guidelines protect users through rules concerning conduct and content on the platform, supported by moderation and enforcement. However, internal documents expose the holes in Snapchat's promises. The systems responsible for enforcing Snapchat's rules have failed to review reports, allowed potentially harmful content to disappear before review, and inconsistently applied moderation and enforcement policies.

67. Although Snapchat encourages users to report violations of its Community Guidelines so that safety teams can review and take appropriate action, in May 2022, Snapchat acknowledged internally that 96.7% of user accounts that were reported did not lead to review.

Instead, users were prompted to simply block the reported account. Snapchat also acknowledged that its content reporting menu no longer reflected its internal policies or the categories included in its public Transparency Report.[46] Snapchat largely left parents and children to deal with problem accounts by themselves and missed opportunities to identify and intervene before potentially dangerous accounts could target other users.

68. Snapchat's ephemeral content design further undermined enforcement of Snapchat's Community Guidelines. Although Snapchat represented it could "retain" reported content, it failed to do so for many reports. An April 2021 internal document disclosed that the content involved with 28.7% of reports in certain categories expired before review.[47] The problem was not confined solely to user-reported content. The same document disclosed that 86.3% of sexual content Snapchat proactively flagged through automated tools or human detection, without a user report, also expired before review.[48]

69. Snapchat's protections for public content available to children were not applied consistently across content types. A document examining the thirteen- to seventeen-year-old user experience identified no proactive moderation for public content identified through Search. Gaps also existed in moderation of content available through Snap Map, which displays public Snaps associated with specific locations and events. The only stories that were fully vetted were those selected and edited by Snapchat's content team. Other event stories fared little better—

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[46] SNAP2202520.

[47] Snap Inc., *Snapchat Moderation, Enforcement, and Appeals*, "Reporting to Snapchat" section (updated Sept. 2026), https://perma.cc/9L5T-FM9Q (last accessed Nov. 4, 2026); SNAP4783863.

[48] SNAP4783863.

Snapchat proactively reviewed the event title and the first few Snaps in a collection but did not review the entire collection.[49]

70. Snapchat's internal records also undermine its public representations about proactive review of Lenses; effects users can apply to photos and videos to alter their appearance or their surroundings. These include potentially harmful "beauty" lenses that can mimic the appearance of someone's face after plastic surgery or other cosmetic procedures. Snapchat's head of public policy testified in 2020 that "all lenses are reviewed by our team prior to being surfaced in the Snapchat carousel."[50] Internal discussion between Snapchat employees in May of 2021 directly contradicted that testimony, disclosing that "all Lenses are live first and then reviewed within an hour." [51] Snapchat's misrepresentations concerning Lenses created a misleading impression about safeguards the company applied to features it made available to children.

71. In some instances, the identity of the content creator dictated whether that content would receive proactive review at all. Snapchat intentionally decided not to review content created by contractual partners before it was published on the Discover feed. Instead, Snapchat trusted its partners to abide by content guidelines, reasoning in part that proactive review was not necessary because these partners "have money on the line." Such content only received reactive moderation, and publishers were sometimes asked to adjust content age ratings to 18+.[52] By

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[49] SNAP0681967.

[50] House of Commons, Women and Equalities Committee, *Oral Evidence: Changing the Perfect Picture: An Inquiry into Body Image*, HC 274 (Dec. 16, 2020), testimony of Henry Turnbull, Snap Inc., Question 148, p. 20, https://perma.cc/E4MW-WMTT/.

[51] SNAP4783863.

[52] *Id.*

presenting its public content environment as curated and vetted, Snapchat led consumers to expect levels of protection that its actual review practices did not consistently provide.

ii. Snapchat Knowingly Fails to Verify Users' Ages

72. Snapchat requires users to be at least thirteen years old to create an account. However, Snapchat does not independently verify a user's age during ordinary account registration. Instead, a new user needs only enter their date of birth, and Snapchat relies on that information to determine whether the user is old enough to use the platform, and, if so, which age-based restrictions and account settings apply. A child younger than thirteen can enter a false birth date to gain access to Snapchat, while a teenager can register as an adult to avoid restrictions intended for users under age eighteen.

73. Snapchat has known for years that the ages supplied by its users are unreliable. In its 2017 annual report, Snapchat acknowledged that because users reported their own birth dates, its demographic information could differ from their actual ages. The company also disclosed that users who registered before June 2013 had not even been required to provide a birth date.[53] Internal records revealed that children who entered a birth date indicating that they were under thirteen could immediately attempt registration again on the same device using a different birth date.[54] In November 2017, Snapchat tested restrictions on repeated registration attempts. One group was blocked for five minutes and another for twenty-four hours. In March 2019, Snapchat's Vice President of Global Public Policy, Jennifer Stout, reported that both restrictions materially affected user acquisition and retention, and that the Product team's conclusion was

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[53] Snap Inc., *Annual Report (Form 10-K) for the Year Ended December 31, 2017*, at 18 (2018), https://perma.cc/E8GF-32WL.

[54] SNAP0010924.

that the restrictions would negatively affect daily new users and daily active users.[55] For Snapchat, fewer new users and fewer daily active users meant fewer opportunities to generate advertising revenue. The company recognized that strengthening its age assurance practices could come at a financial cost.

74. By 2019, Snapchat was using age inference techniques to estimate users' ages independently of their reported birth dates. In written evidence submitted to a British parliamentary committee, Snapchat explained that it used those techniques to determine whether advertisements were appropriate for minors.[56] Snapchat therefore recognized the limitations of self-reported ages and had developed alternative means of estimating true age.

75. Snapchat's internal records subsequently demonstrated the significance of relying on user-reported age. In December 2021, the company compared the ages users reported with the ages the company independently inferred. Its inferential analysis estimated that users aged thirteen through seventeen accounted for approximately 22% of daily active users, compared with approximately 17% based on reported ages.[57] Snapchat's own estimates thus indicated that its teenage audience was substantially larger than its registration information suggested. The company knew that relying on stated ages failed to accurately identify child users on the platform. Even though Snapchat had technology that could help it identify those users, it continued to rely on the birth dates users entered at registration.

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[55] SNAP7141088.

[56] Snap Inc., Written Evidence to the House of Commons Digital, Culture, Media and Sport Committee, *Immersive and Addictive Technologies Inquiry* (2019), https://perma.cc/NCK4-A6ZB.

[57] SNAP7292616.

76. By November 2023, Snapchat recognized that it needed to take responsibility for determining users' ages. In an internal document, Snapchat acknowledged that expanding the platform across devices, especially through a fully featured desktop web version, weakened its argument that operating-system providers such as Apple should be responsible for age assurance. The author added, "Therefore, we should really do something ourselves."[58] In the same document, the author noted that regulators were concerned with age assurance measures, and that regulators perceived Snapchat as a "high-risk platform" due to the substantial number of minors using the platform.[59] Snapchat nevertheless continued to rely on self-reported birth dates, even though its own estimates showed that relying on stated age understated the number of teens on the platform, and even though the company knew that it had a responsibility to do more.

77. In addition to its existing age inference techniques, Snapchat had another way to identify potentially underage users. As November 2023 internal notes explained, moderators already reviewed Spotlight posts that drew large numbers of views and could flag accounts that appeared to belong to children under thirteen. Yet Snapchat did not send those accounts for age verification because its Trust & Safety team lacked sufficient operational capacity. Following regulatory action against TikTok in the United Kingdom, Snapchat tested the volume of potentially underage accounts that could be identified through its Spotlight moderation process. The experiment generated between 2,000 and 3,000 Snaps per day that qualified for escalation through its moderation workflow. Snapchat acknowledged that its moderation misses constituted a "meaningful gap" and left the company "exposed to risk" from regulators.[60]

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[58] SNAP3664412.

[59] *Id.*

[60] SNAP3664412.

78. Snapchat also identified a practical way to verify the ages of users flagged through Spotlight moderation. Its internal proposal contemplated suspending accounts that moderators identified as potentially belonging to children under thirteen and allowing those users thirty days to verify their age. The company could then hand the age verification process to a third-party vendor that would determine whether a user was underage through a selfie or identification document. Snapchat estimated that it could evaluate the effectiveness of this technology for approximately $100,000.00 in 2024, without affecting its core business. But the proposal also identified a concern unrelated to the technology's cost or effectiveness: Snapchat feared that regulators "might use our 'small experiment' against us" and demand that Snapchat expand the use of age estimation tools "to other, more consequential parts of Snapchat."[61]

79. Snapchat's own assessment was particularly revealing. The company acknowledged that, unlike comparable platforms, it had no existing means of age assurance. It also recognized that its reported enforcement numbers were difficult to believe given the size of its user base. Snapchat estimated that it deleted approximately fifty accounts belonging to children under thirteen each day, while other platforms reported removing millions of underage accounts each quarter. Snapchat understood that its status as "the premiere communication tool for minors" made those figures especially difficult to defend.[62]

80. For years, Snapchat used technology to estimate users' ages for advertising while failing to apply comparable capabilities to reliably identify children on its platform. As late as November 2023, the company acknowledged that it had no means of age assurance, despite possessing information that users' reported ages were inaccurate and identifying additional

[61] *Id.*

[62] *Id.*

methods to verify them. Yet to this day, a person creating a Snapchat account needs only to enter a birth date of their choosing, without providing proof of their actual age. Children can register as adults to evade age restrictions, while predators can register as children to disguise themselves as peers. Snapchat's representations about age-based restrictions and parental oversight concealed this disparity, giving parents the impression that the company could reliably distinguish children from adults.

iii. Snapchat Misleads Consumers About Children's Exposure to Mature Content

a. Exposure to Sexual Content and Explicit Sexual Profanity

81. Snapchat has misled West Virginia consumers about the nature and frequency of mature content available on its platform through the age-rating representations it makes in the Apple App Store, Google Play Store, and Microsoft Store. Snapchat's own records show that child users can encounter oversexualized content that is inconsistent with the app's age ratings and inconsistent with Snapchat's public representations.

82. As early as 2018, Snapchat knew that its moderation practices left gaps in its protections against children's exposure to mature content. Snapchat documented that public content surfaced through Search received no proactive moderation and that only curated Snap Map stories were fully vetted.[63] Customer feedback from November 2020 also revealed that users were receiving unwanted sexual content through Spotlight recommendations.[64]

83. Snapchat's internal discussions reflected similar concerns. In May 2023, employees described creators who posted content that appeared at first to be innocent but that ended with surprise sexual content. Nevertheless, within the same document, Snapchat appeared

[63] SNAP0681967.

[64] SNAP0188595.

to celebrate its efforts to reduce inappropriate content from the app's Discover surface, including content involving sexual and mature themes, reporting the prevalence of objectionable Discover tiles had been "drastically reduced" from 30% to approximately 7%.[65]

84. But by July 2023, Snapchat was aware that mature content was still being directed to child users through Discover. Research commissioned by Snapchat recorded that parents of younger teens associated the app's Discover surface—which displays content that Snapchat selects—with exposing their children to content saturated with sexual themes. Parents took issue specifically with the app's algorithm, expressing frustration that the platform displayed inappropriate content "without guardrails or age-specific restrictions or protections."[66]

85. The same concerns remained as of May 2026, when child safety advocacy organizations HEAT Initiative and ParentsTogether reported that Snapchat continued to recommend sexual content to accounts belonging to users who reported being 13 years old. Across twelve hours of viewing on two accounts registered as age 13, researchers recorded 244 recommended videos containing graphic sexual language, pantomimed sex acts, or both. Examples included apparent adults describing sexual acts in graphic detail, simulated sexual activity, and advice encouraging viewers to endure pain during sex. Some creators appeared to sell adult content on other platforms. The report also documented sexual messages conveyed through slang, abbreviations, backward text, or emojis, such as a grape emoji that is frequently used to replace the word "rape."[67]

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[65] SNAP2047572.

[66] SNAP0019094.

[67] ParentsTogether Action & HEAT Initiative, *"Everybody Got Demons, I Use Drugs to Quiet Mine": One Week on Snapchat as a 7th Grader* 30–32 (2026), https://perma.cc/ZF6X-5SZC.

86. Alarmingly, the content recommended by Snapchat included content that researchers characterized as glamorizing sexual coercion, abuse, and exploitation. Thirty-two videos fell within a category encompassing nonconsensual sex, incest, stalking, or sexual violence. Captured examples included a masked man fantasizing about invading someone's home and getting into bed with them, while dismissing the victim's fear and lack of consent; a woman miming sexual activity under captions referring to a brother or stepbrother; and a scene depicting a man forcing a woman to engage in a sexual act inside a vehicle. Another video showed a woman running away from two masked men, with captions and hashtags joking about how the two stalkers were romantic rivals. These examples show that Snapchat's algorithm recommended content that treated coercive or abusive sexual contact as funny, romantic, or acceptable to an account registered to a 13-year-old child.[68]

87. An additional 21 videos concerned relationships between children and adults, age gaps, or other problematic power imbalances. Examples included an adult-content creator dressed as a little girl expressing interest in a man over 30; a video that begins with tips on how to join a sports team but ends by suggesting physical intimacy as a way to "get to know your coach;" and videos suggesting that Snapchat is a place for older men to find young girls seeking sexual relationships.[69]

88. The HEAT Initiative and ParentsTogether report also documented explicit profanity in videos Snapchat recommended to accounts registered as age 13. The report provided a snapshot of a video depicting a woman asking viewers to "fuck me like a dirty little cum slut." Another showed a woman walking in a short skirt alongside an abbreviation meaning "shut the

[68] *Id.* at 31.

[69] *Id.* at 32.

fuck up and take that dick like a good girl." In both examples, the profanity carried a graphic sexual message directed at the viewer.[70] Snapchat's algorithm placed those messages in feeds it knew belonged to children.

89. The testing sequence is also significant. Researchers created the accounts on clean devices without saved contacts. Each account first viewed two hours of recommendations without following creators, searching, or otherwise engaging with the content; researchers then followed 50 recommended creators and, in the final stage, searched sensitive topics. Snapchat's algorithm recommended every video documented in the report. Across twelve combined hours of testing, the accounts received 244 videos with graphic sexual language, simulated sex acts, and videos glamorizing sexual abuse—an average of roughly one every three minutes—hardly the "infrequent" or "mild" sexual content Snapchat claimed in its responses to app store age-rating questionnaires.[71]

b. Bullying, Threats, Hate Speech, Drugs, and Violence

90. Snapchat's public assurances about content involving bullying, hate speech, threats, and illegal drugs and weapons activity did not match with the reality of how the platform operated, further misleading parents and the public. Snapchat's public transparency report for July–December 2020 presented these content categories as conduct the company prohibited and acted against quickly. Snapchat reported that only eight out of every 10,000 content views violated its rules. It also assured users that its reporting tools allowed them to quickly and easily bring harmful content to the company's attention, and that its teams investigated reports and, "in

[70] *Id.* at 30.

[71] *Id.* at 10-11, 24.

the vast majority of cases," took action within two hours.[72] Taken together, those public statements presented a platform where harmful content was uncommon and reports received prompt attention. The company's internal records tell a different story.

91. An April 2021 internal document showed that a substantial number of reports involving abusive conduct and regulated goods went unreviewed before the media expired. That included approximately 45.1% of flags related to regulated goods like drugs, alcohol, or firearms; 20.5% of harassment flags; 17.3% of threats, violence, or harm flags; and 13.5% of hate speech flags. The same document identified no proactive review and enforcement for hate speech or harassment.[73] Snapchat's public assurances did not tell users that reported content could expire before anyone reviewed it. To the contrary, Snapchat's 2021 Privacy Policy warned users that content may not be automatically deleted if the company "receive[s] reports of abuse or other Terms of Service violations, or if your account or content created by you is flagged by others or our systems for abuse[.]"[74] Parents were told about prohibited conduct, enforcement totals, and a two-hour response; they were not told about the company's systemic failures in preserving reported content.

92. By September 2022, employees were discussing how Snapchat enabled bullying among elementary-school children. In an internal product-feedback channel, an employee relayed a teacher's account of students creating anonymous Snapchat accounts, adding classmates, and spreading negative or inappropriate material about students and teachers

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[72] SNAP1067217.

[73] SNAP4783863.

[74] Snap Inc., *Privacy Policy*, "How Long We Keep Your Information" (effective Sept. 30, 2021), https://perma.cc/AN3N-33TP (last accessed Nov. 4, 2026).

throughout the school. The employee described it as note-passing at scale and "without accountability." The teacher reported students increasingly lashing out, at least one suicide attempt, and teachers so emotionally exhausted that they were considering resignation. The Snapchat employee then asked how the company could keep its emphasis on privacy and small networks from making the app a "platform for bullying." The warning came from inside the company and concerned children already using its product.[75]

93. School officials and law enforcement delivered similar warnings directly to Snapchat in July 2023. After a school-safety conference, a Snapchat employee circulated an internal account of a roundtable with school administrators and school-safety personnel. Participants said parents and students regularly brought them Snapchat-related harms, including bullying, shooting threats, nude images, and financial sextortion. A Virginia school resource officer said, "Threats are getting out of control over Snapchat," and reported dealing with shooting threats once or twice a month. Participants described students posting photographs of guns with messages telling others not to come to school the next day. An Ohio officer said nude images were an everyday problem involving children as young as third and fourth grade. Participants also explained why intervention was difficult: children believed Snapchat was private and secretive, and ephemeral content made misconduct harder to prove.[76]

94. Drug dealing on Snapchat also drew direct scrutiny from the West Virginia Attorney General. On October 13, 2022, former Attorney General Patrick Morrisey wrote to Snap, Inc. CEO Evan Spiegel about dealers using social media to sell what appeared to be prescription opioid pills to teenagers but were actually counterfeits containing lethal doses of

[75] SNAP1173460.

[76] SNAP0464451.

fentanyl, a synthetic opioid that is up to fifty times stronger than heroin. The letter asked for details about Snapchat's efforts to identify and disrupt drug dealing, the platform's use of algorithms and artificial intelligence, its cooperation with law enforcement, and the resources it devoted to those efforts.[77]

95. Snapchat responded on November 23, 2022, with assurances that it was actively identifying drug activity and keeping dealers off the platform. The company said it had invested heavily in technology to find drug dealers and drug-related content "before they ever get to users." It described tools that examined images, videos, captions, and emojis for signs of drug activity, stated that suspicious content is sent for human review, and supported removing and blocking users who attempt to sell illegal drugs or prescription pills. Snapchat claimed its tools helped the platform proactively catch 90% of drug activity and pointed to a decline in user reports of drug-related content as evidence that its efforts were working. It also reported that outside intelligence partners increasingly considered Snapchat a "hostile place for drug dealers."[78]

96. Yet the HEAT Initiative and ParentsTogether's 2026 account testing showed Snapchat's own algorithm recommended videos about organized drug trafficking to an account registered to a 13-year-old user. The report documented a video with in-depth interviews of individuals who identified themselves as members of the Albanian mafia. They described how they ran their drug-trafficking operation and how they kept it running through violence and corruption, including attempted murder, shootouts with police, and bribing law enforcement in

[77] Letter from Patrick Morrisey, W. Va. Att'y Gen., to Evan Spiegel, CEO, Snap Inc. 1–2 (Oct. 13, 2022).

[78] Letter from Hank Dempsey, Head of U.S. State Policy, Snap Inc., to Patrick Morrisey, W. Va. Att'y Gen. 2 (Nov. 23, 2022).

multiple countries. A still image from the video shows an individual claiming the group can "move up to 50 kilos" of illegal drugs in one week.[79] Fifty kilograms of heroin at street-level purity would amount to approximately 500,000 individual doses, based on White House Office of National Drug Control Policy's estimate of 0.1 gram per dose.[80] The Centers for Disease Control warns that heroin is commonly mixed with fentanyl, increasing the risk of fatal overdose among users who may not know it is present.[81]

97. The testing performed by HEAT Initiative and ParentsTogether also revealed that Snapchat recommended content promoting drug and alcohol use to accounts registered as age 13. One video showed a young man using concentrated cannabis and coughing violently, with a caption presenting the drug as a way to quiet his demons. Another showed a young man inhaling from two vaping devices at once while a friend filmed and cheered him on. Other recommendations included a man chugging an entire bottle of alcohol and a man laughing at a breathalyzer reading of .19. As testing continued, researchers reported seeing riskier drug use and younger children using drugs. Captured examples included young boys vaping, blowing smoke rings, and singing along to a Cheech & Chong song about marijuana.[82]

98. Other videos Snapchat recommended to a test account showed viewers how to grow marijuana and described attempts to manufacture methamphetamine. One creator showed off his marijuana-growing setup, identified the equipment and brands he used, and walked

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[79] ParentsTogether Action & HEAT Initiative, *"Everybody Got Demons, I Use Drugs to Quiet Mine": One Week on Snapchat as a 7th Grader* at 41 (2026), https://perma.cc/ZF6X-5SZC.

[80] Office of National Drug Control Policy, *Pulse Check: Trends in Drug Abuse* at 26 (Nov. 2002), https://perma.cc/W8HN-HCEJ.

[81] Centers for Disease Control and Prevention, *The Facts About Fentanyl* at 1, https://perma.cc/M8U2-RW59.

[82] ParentsTogether Action & HEAT Initiative, *"Everybody Got Demons, I Use Drugs to Quiet Mine": One Week on Snapchat as a 7th Grader* at 28 (2026), https://perma.cc/ZF6X-5SZC.

viewers through caring for the plants. A video titled "How Not To Cook Meth" showed a man attempting to make methamphetamine with household products. Although his attempt failed, the video still explained the process and displayed a diagram of the chemical reactions involved.[83]

99. The same two child accounts received 95 videos promoting violence, gang activity, or criminal behavior. Captured examples included footage of people being shot and killed, gang-related assaults, and videos discussing weapons and do-it-yourself techniques to turn a semi-automatic weapon to fully automatic. One video recounted a killing alongside a companion's congratulatory remark: "you caught your first body." Researchers also documented 50 videos of violent fights, including children repeatedly punching one another in the head and a woman continuing to beat another woman who was unresponsive and bleeding.[84] These recommendations reached the accounts during just six hours of testing each.

100. A separate 2026 survey published by HEAT Initiative and its partners showed that bullying, hate speech, and drug-related content also appeared in children's accounts of their own Snapchat use. Among 1,016 U.S. users ages 10–17 surveyed in December 2025, 31% reported seeing people bullying or harassment in posts or messages during the preceding year; 18% reported hate speech or racist or discriminatory content or messages; and 17% reported content or messages about buying, selling, or using drugs or alcohol, including sales listing advertising available products. A significant proportion of those experiences reportedly occurred on Discover and Spotlight, where Snapchat itself selects what content to display.[85]

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[83] *Id.* at 27.

[84] *Id.* at 34-40.

[85] HEAT Initiative, *The Hidden Dangers of Snapchat for Kids: Experiences of Snapchat Users Ages 10–17* at 2–4, 8 (2026), https://perma.cc/KB9H-8Y53.

101. Snapchat's representations and assurances gave parents and the public a misleading picture of the nature and frequency of mature content their children could encounter on the platform and the protections in place to keep such content from them. Parents depend on truthful and accurate representations when deciding whether to allow their children to use Snapchat. Snapchat touted its alleged safety protections while withholding known failures that undermined its claims, misleading consumers about the risk of children encountering mature content on the platform.

D. Snapchat is Designed to Encourage Harmful Compulsive Use

102. Snapchat does not leave the time users spend on the platform to chance. It designs the app to encourage frequent returns, prolong use, and make stopping more difficult. Its recommendation systems and other features work together to keep content flowing, build use of the app into daily routine, and create pressure to return.

103. These design choices raise particular concerns for child users, who are less able than adults to regulate their behavior and resist features designed to capture and hold their attention. Snapchat's own research and internal communications show that the company knew its features could encourage harmful compulsive use, create stress and obligation to maintain user "Streaks," and make users feel unable to stop. Nevertheless, Snapchat continued to pursue engagement and growth while resisting changes to features it knew could negatively impact users, including children.

i. Snapchat Uses Manipulative Design to Drive Engagement

104. Snapchat's efforts to keep users engaged are driven by its advertising business. Advertising accounted for approximately 96% of Snap's revenue in 2023, and the company

warned investors that a decrease in time spent on Snapchat could harm its advertising revenue.[86] Longer viewing creates more opportunities to show advertisements. Snap's internal documents make the connection between engagement and its business explicit: "Increasing user engagement with the Stories tab is critical for our business." The same document identifies Stories Ranking as one of Snap's "primary levers for growing engagement" and explains that changes are tested for their effect on viewing time, viewers, and replies.[87]

105. Snapchat accordingly builds features to extend users' time on the platform and draw them back throughout the day. Its May 2023 plans set specific targets for increasing viewing, including a 75% increase in daily Spotlight viewing time per U.S. viewer, which includes child users.[88] Snapchat also described notifications as a "powerful lever for growth and engagement," crediting them with driving approximately 1.6 billion app opens each day.[89] Its access to young users was part of its pitch to advertisers: the company promoted Snapchat's reach to 90% of people ages 13–24 in more than 25 countries, alongside an audience that opened the app more than 30 times a day on average.[90] Snapchat pursues that engagement through manipulative tactics that create pressure to return, steer users toward continued viewing, and repeatedly pressure users to reenable notifications they chose to turn off.

106. Growth of the teenage user base was important to Snapchat's business objectives. Snapchat closely tracked how children and teens used features that encouraged them to return to

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[86] Snap Inc., *Annual Report (Form 10-K) for the Year Ended December 31, 2023*, https://perma.cc/UP6Q-BAGM.

[87] SNAP2857687.

[88] SNAP2047572.

[89] SNAP5147058.

[90] Snap Inc., *Why Advertise on Snapchat?*, "Start Advertising on Snapchat" and "Reach the Majority of Millennials and Gen Z," nn.4, 9, https://perma.cc/WU6L-6UQP (last accessed Nov. 4, 2026).

the platform every day. Its September 2022 research found that users ages 13–17 participated in Streaks at higher rates than users ages 18–24: 41% of teenage daily active users maintained Streaks, compared with 37% of young adults. Among teenage users who sent Snaps, 91% maintained Streaks, and 75% of their two-way communications involved Streaks. Snapchat tracked participation, new Streaks, the number maintained by each user, and changes in those measures over time. Its analysis expressly concluded that high-school users had higher Streaks engagement than college users.[91]

107. Years earlier, Snapchat had already recognized problems with the feature but did not disclose its concerns to parents or the public. In January 2019, an employee described Streaks as "an accidentally addictive, somewhat unhealthy feature that gamifies friendships in a weird way."[92] Another internal presentation described how Streaks made users feel obligated to send Snaps every day, fearing their friends' reactions if they let a Streak lapse. Maintaining longer streaks became stressful and users sometimes sent Snaps simply to get the task out of the way. One user described the pressure that began at the start of each day: "You wake up and see those timers and you're like I need to reply back to all of them. That can be stressful."[93] By tying a running count to daily exchanges between friends, Streaks made missing a day feel like letting a friend down.

108. Nevertheless, Snapchat hesitated to change Streaks because of its large impact on daily use. Streaks were "too delicate to touch" because more than 50 million users maintained them and a few million users likely only used Snapchat to maintain a Streak. The employee said

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[91] SNAP1806711.

[92] SNAP4389271.

[93] SNAP2183204.

the company did not want to exacerbate the problem and hoped to find other ways to encourage daily behavior.[94] Snapchat recognized the unhealthy pressure but also recognized that removing the feature could cost the company users whose routines revolved around maintaining Streaks.

109. A May 2019 brainstorming document proposed testing changes to the counters, expiration timers, and requirement to send a Snap every 24 hours, as well as allowing users to freeze or restore Streaks. The document identified "Daily Habit Training" as a benefit, illustrated by the thought, "Oh, I have to send streaks today," and stress over losing a long Streak as a drawback. It expressly asked how "lessening the anxiety of a streak dying" would affect engagement. The document warned that "killing existing streaks without a replacement" could break users' trust and proposed testing how changes would affect daily active users, days active, and Snaps sent.[95] The concern was that changing Streaks could upset users and reduce the daily use the feature encouraged, putting the engagement that supported Snapchat's advertising revenue at risk.

110. By 2023, however, despite its earlier concerns about compulsive use, gamification of friendships, and stress over losing Streaks, Snapchat had retained them and found a way to monetize restoration after they expired. An internal analysis reported more than 25,000 paid restores and 1.2 million free restores during testing. Prices increased with Streak length, from $0.99 to as much as $9.99, and Snapchat described users with Streaks exceeding 500 days as "price insensitive." With this in mind, the company decided to move forward with an option allowing users to restore Streaks that had lasted at least seven days and expired within the preceding 48 hours. The company also saw an opportunity to encourage purchases for shorter

[94] SNAP4389271.

[95] SNAP6906160.

Streaks, explaining that doing so could create "a precedent/habit for a purchase" and preserve more Streaks that could later become longer and more economically valuable to Snapchat.[96] The attachment and fear of loss Snapchat had identified became an opportunity to collect money from its users.

111. Snapchat also uses Snapscore to reward activity and encourage users to spend more time on the app. A May 2017 proposal explained that teaching users how to increase their scores could encourage them to spend more time on the app, return to the app more often, "produce and consume more snaps," ultimately becoming "high-quality users."[97] Nearly six years later, Snapchat continued to view Snapscore as a tool for increasing engagement. A March 2023 proposal sought to award additional points for viewing Snaps in group and individual conversations and adjust the points awarded for posting Stories.[98] This is gamification: turning ordinary use of the app into opportunities to earn points, with higher scores rewarding users for doing more of what Snapchat wanted them to do.[99]

112. The pursuit of higher scores encouraged users to add complete strangers to their contact lists. Snapchat's own research identified increasing Story views and Snapscore as the main motivation for accumulating large numbers of friends and reported that users added people through Quick Add for that purpose. Participants described adding people they did not know and receiving Snaps from random people that sometimes frightened them.[100] By encouraging users to

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[96] SNAP1940643.

[97] SNAP6118652.

[98] SNAP5154720.

[99] SNAP1713225.

[100] SNAP2661290.

accumulate contacts to increase their scores, Snapchat gamified social interactions in ways that promoted compulsive use. In addition, it gave children a reason to accept strangers as "Friends," creating opportunities for predators to establish contact with them.

113. Snapchat also gamifies relationships through Friend Solar System, a Snapchat+ feature that displays a user's position among a friend's most frequent contacts as a planet orbiting that friend.[101] By presenting communication frequency as proximity to a friend, Snapchat encourages users to treat activity on the app as a measure of their importance to one another. Snapchat knew that this comparison could cause distress. In April 2024, the company acknowledged that learning a friendship was less close than a user hoped could feel bad and admitted: "We've heard and understand that the Solar System can make that feeling worse." Snapchat nevertheless retained the feature.[102] The company continued offering the Friend Solar System feature because tying friendship status to communication frequency gives users a reason to spend more time interacting on Snapchat, despite recognizing and publicly acknowledging the feature's potential to worsen users' insecurities.

114. Snapchat's efforts to design its platform to encourage compulsive use extended beyond Streaks, Snapscores, and Friend Solar System, shaping both how users consume content and how easily they can leave the platform. In an October 2020 discussion concerning Spotlight, Snapchat's Policy Manager Evan Geary wrote, "Not sure what to say about addictive endless scrolling." He then acknowledged that Discover already used an endless-scroll design and added, "I think we wish it was more ~~addictive~~ compelling"—with "addictive" struck through and

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[101] Snapchat Support, *How Do Friend Solar Systems Work?*, https://perma.cc/V346-7UXW (last accessed Nov. 4, 2026).

[102] Snap Inc., *Best Friends, Streaks, and the Solar System* (Apr. 5, 2024), https://perma.cc/3TGT-2DVH.

replaced by "compelling." Snap's Head of Product and Content Policy responded, "lol ur emails are so funny."[103] The exchange between employees responsible for the platform's policies treated the prospect of making Discover even more difficult to pull away from as a joke.

115. Behind that stream of content, Snapchat uses information about individual users to steer what they watch next. Its internal ranking presentation describes a system that draws on age, viewing history, watch time, shares, subscriptions, and other information to predict how users will respond to particular Stories. The predictions include how long a user will watch and whether the user will continue to the next Story. Snapchat uses those predictions to score and order content, then tests changes against engagement measures. What appears to users as a succession of appealing Stories is the product of a system designed and repeatedly refined to hold their attention.[104]

116. Snapchat also removes natural stopping points by utilizing automatic playback to move users from their friends' Stories into subscription content, and then into Discover, playing content the users never chose to watch. Snapchat also changed how it selected content to support that design: because users no longer needed to tap a Story to begin watching, the system shifted from predicting whether they would tap to *predicting whether they would keep watching*.[105] Snapchat thus starts the next Story for the user and chooses content calculated to hold that user's attention, removing a natural stopping point and encouraging continued viewing.

117. Snapchat's efforts to capture attention also extend to users who have chosen to turn off the app's notifications. An August 2022 document characterized Android's impending

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[103] SNAP1393050.

[104] SNAP2857687.

[105] *Id.*

requirement for notification permission as a "significant risk" and proposed an "aggressive Full Screen Takeover" asking users to enable notifications—including those who had deliberately disabled them. The proposed tests varied how often users would see the prompt, how many times they could dismiss it, and how long Snapchat would wait before asking again. One option would reset the count after users reached the prompt limit, making them eligible for yet another round of prompts.[106] Rather than accepting a user's decision to turn notifications off, Snapchat planned repeated attempts to persuade the user to reverse it.

118. Snapchat also put growth ahead of making it easier for users to leave. A February 2024 internal review reported continued complaints from Android users who could not delete their accounts through the app's settings, with contacts about the problem increasing 33% in the preceding quarter. Yet Snapchat had deprioritized the Android account pause and deletion setting in favor of an executive roadmap focused on increasing North American daily active users through "resurrection"—bringing users back to Snapchat. Users could still delete their accounts through a separate web portal, but Snapchat postponed making that option available within the Android app while prioritizing efforts to draw users back.[107]

119. Snapchat's own records show how its pursuit of extending engagement shapes the choices users encounter: pressure to preserve Streaks, pressure to preserve Snapscores, content selected by Snapchat to prolong time spent, automatic advancement to more content, repeated requests to restore notifications, and postponed improvements to account deletion. These tactics work together to manipulate users into continued use and make disengaging from the platform more difficult. By failing to disclose these known concerns and the purpose behind these

[106] SNAP5147058.

[107] SNAP3074358.

choices, Snapchat gives parents an incomplete and misleading picture of the platform, withholding information they need to assess whether the platform is suitable for their children and the information they need to manage their children's use.

ii. Snapchat's Manipulative Design Harms Children's Health and Development

120. Snapchat's efforts to capture and retain child users' attention have consequences extending far beyond the time children spend looking at a screen. Compulsive use displaces activities essential to children's health and development, including sleep, physical activity, schoolwork, time with family, and in-person relationships. Snapchat's social feedback and appearance-altering features expose child users to relentless comparison and evaluation, while its recommendation system can identify and amplify their interests, insecurities, and vulnerabilities. At the same time, Snapchat exposes children and teenagers to bullying, harassment, predatory contact, sexual exploitation, and dangerous conduct capable of causing physical injury or death.

121. These harms arise from Snapchat's design. The same features Snapchat uses to maximize engagement—its personalized recommendation system, uninterrupted content, social rewards, notifications, and frictionless interactions—also shape the harms child users experience. Snapchat determines what content appears in Discover and Spotlight, how frequently related material is repeated, when users are prompted to return, and how readily users can interact with one another.[108] Snapchat therefore does not merely provide a venue in which harm may occur. Its design choices can create, intensify, and prolong child users' exposure to those harms.

[108] SNAP2857687.

a. Snapchat's Compulsive Design Displaces Essential Activities

122. Time spent compulsively using Snapchat comes at the expense of time spent elsewhere. For children and teenagers, the displaced activities include sleep, physical activity, schoolwork, reading, time with family, and the interactions through which young people develop relationships and social skills.[109]

123. Snapchat's own research documented its intrusion into school hours. A 2017 study commissioned by Snapchat reported that 64% of users ages 13–21 used Snapchat during school.[110] Its March 2023 wellness research went further, describing teens checking their phones "in class, unless the teacher tells them not to" and using Snapchat to communicate with friends. Snapchat was competing for children's attention during instruction, not simply occupying their free time between classes. The researchers identified constant social-media use as a negative and recommended allowing users to silence notifications during school hours or when they should be working or studying, as well as setting their own time limits within the app.[111]

124. Snapchat also learned why users tried to shut out its notifications. In December 2023, product research forwarded to CEO Evan Spiegel reported that users disabled notifications because they wanted to focus on school, work, or friends, or because they received too many notifications. They commonly turned them off while sleeping, during school or work hours, or before leaving for school or work. The researchers recommended reducing notification frequency, making controls easier to find, allowing temporary pauses, and considering a focus or

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[109] U.S. Dep't of Health & Hum. Servs., Off. of the Surgeon Gen., *Social Media and Youth Mental Health: The U.S. Surgeon General's Advisory* at 9–10, 13 (2023), https://perma.cc/JS3V-KYPY.

[110] SNAP7403425.

[111] SNAP3157225.

do-not-disturb mode.[112] The company thus had direct feedback that its notifications competed with sleep, school, and time spent with other people. Yet, as of today, Snapchat continues to send notifications by default to children as young as 13 during school hours and throughout the night.

125. Sleep is among the activities displaced by compulsive use. Snapchat is available at every hour for child users, supplies content without a natural endpoint, and uses notifications and ephemeral experiences to encourage child users to remain on or return to the platform. A 2023 Common Sense Media report surveyed 1,397 U.S. girls ages 11–15. Among those who used Snapchat, 31% said the platform interfered with their sleep at least weekly, including 21% who reported daily interference. Thirty percent reported daily pressure to be available or respond promptly on Snapchat.[113]

126. Insufficient sleep poses particularly serious risks during adolescence. Sleep is important to memory formation, neurological development, and emotional regulation. Research has associated sleep deprivation with impaired formation of new memories, social withdrawal and loneliness, and impaired recognition of human emotions.[114] Social media use is also associated with poorer sleep patterns among adolescents, with some research finding progressively greater likelihood of short sleep as social media use increases.[115] Research

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[112] SNAP2974826.

[113] Jacqueline Nesi, Supreet Mann & Kathryn Robb, *Teens and Mental Health: How Girls Really Feel About Social Media* (Common Sense Media, 2023), https://perma.cc/9T6E-FLEY.

[114] *See* Seung-Schik Yoo et al., *A Deficit in the Ability to Form New Human Memories Without Sleep*, 10 Nature Neuroscience 385, 385-92 (2007); Eti Ben Simon & Matthew P. Walker, *Sleep Loss Causes Social Withdrawal and Loneliness*, 9 Nature Communications 3146 (2018); Els van der Helm et al., *Sleep Deprivation Impairs the Accurate Recognition of Human Emotions*, 33 Sleep 335, 335-342 (2010).

[115] See Hugues Sampasa-Kanyinga et al., *Use of Social Media Is Associated with Short Sleep Duration in a Dose-Response Manner in Students Aged 11 to 20 Years*, 107 Acta Paediatrica 694, 694–700 (2018); Holly Scott et al., *Social Media Use and Adolescent Sleep Patterns: Cross-Sectional Findings from the UK Millennium Cohort Study*, 9 BMJ Open e031161 (2019); Garrett Hisler et al., *Associations Between Screen Time and Short Sleep Duration Among Adolescents Vary by Media Type: Evidence from a Cohort Study*, 66 Sleep Medicine 92, 92–102 (2020).

concerning adolescent digital-media use has likewise associated sleep disruption with depression and anxiety, while health authorities have identified insufficient sleep as one of the pathways through which social-media use may affect child users' mental health and well-being.[116]

127. Yet Snapchat's platform was designed to reward users, including children, for using the app at times or in ways that competed with essential activities. Design documents concerning the platform's Trophies feature included an achievement for sending a Snap between 4:00 and 5:00 a.m. The same specification proposed rewards for opening Snapchat more than 100 times between 9:00 a.m. and 5:00 p.m. in one day and watching 5,000 seconds—more than 83 minutes—of Stories in a single session.[117] The criteria treated repeated interruptions, prolonged viewing, and early-morning use as achievements to encourage.

b. Snapchat's Filters Harm Children's Mental Health and Body Image

128. Snapchat provides appearance-altering features known as Lenses that do far more than simply edit a photo or video. They can fundamentally remake a user's face by lightening and smoothing skin, concealing blemishes, slimming the face, and changing facial features in a hyper realistic way, akin to the results of plastic surgery or other major cosmetic procedures. Such beauty-oriented face lenses cause many users to become unsatisfied with their real faces, leading to anxiety and sometimes driving users to seek real-life cosmetic procedures. This form of body dysmorphic disorder has been dubbed "Snapchat dysmorphia."[118]

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[116] *See* Megan A. Moreno & Anna F. Jolliff, *Depression and Anxiety in the Context of Digital Media*, in *Handbook of Adolescent Digital Media Use and Mental Health* 217 (Jacqueline Nesi et al. eds., Cambridge University Press 2022); U.S. Dep't of Health & Hum. Servs., Off. of the Surgeon Gen., *Social Media and Youth Mental Health: The U.S. Surgeon General's Advisory* at 9–10 (2023), https://perma.cc/JS3V-KYPY.

[117] SNAP4954018.

[118] Elle Hunt, *Faking It: How Selfie Dysmorphia Is Driving People To Seek Surgery*, The Guardian (Jan. 23, 2019), https://perma.cc/BYY8-HQUC.

129. Snapchat's own research recorded users describing thinner, smoother, and lighter versions of their faces and explaining that the filters concealed the features they disliked. The altered image becomes a version of themselves against which users can compare their actual appearance.[119]

130. These filters have been used millions of times, including by child users in West Virginia. These filters distort child users' self-image and effectively tell them that their natural features are flawed or inferior, which can lead to significant mental health harm.

131. Teens often seek attention, peer feedback, and social validation through comparison, including by comparing their filtered appearance on Snapchat with how they actually look. Those comparisons can distort their self-image and leave them with an increasingly negative perception of their natural appearance.

132. Research linking appearance-altering filters to body image harm supports these concerns. Research commissioned by Dove in late 2020 found that filters had become part of everyday life for 52% of girls and that 80% had applied a filter or used a retouching app to change their appearance by age 13. The same research found that 77% tried to change or hide at least one part of their body before posting a photo. Nearly half of girls with lower body esteem felt they did not look good enough without photo editing.[120]

133. Other studies have linked self-photo editing to body dysmorphic and eating disorder concerns, finding that editing for optimization can encourage child users to focus more

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[119] SNAP2812476.

[120] Dove, *Dove Invites You to Take a Stand and #TurnYourBack to Digital Distortion*, PR Newswire (Mar. 8, 2023), at 4:00 PM), https://perma.cc/2PCD-DPPF.

closely on perceived flaws and create a fictional, idealized version of themselves that becomes a new standard for their real appearance, increasing pressure to lose weight or restrict eating.[121]

134. These harms are not limited to girls. Beauty filters like Snapchat's Lenses can also expose boys to unrealistic appearance ideals, including digitally enhanced standards of muscularity, leanness, facial structure, and skin. Research has associated appearance-focused social media use among adolescent boys with greater body dissatisfaction, pressure to increase muscularity, and disordered eating and exercise behaviors.[122]

135. Snapchat has known since at least 2018 that its appearance-altering features could harm users' self-perception. An August 2018 email chain discussed a television reporter receiving an overwhelming response from children who said Lenses changed how they viewed themselves. Employees nevertheless explained that beautification was generally kept as the default within Lenses, that Lenses with less beautification performed poorly, and that changing course would require an executive decision with a "pretty significant impact on usage."[123] The discussion connected the appearance alterations directly to the engagement Snapchat feared losing if it reduced them.

136. Snapchat's communications discussion focused on countering that concern. One employee described the association between Snapchat's name and a mental health disorder as the most unfortunate part of the coverage and proposed emphasizing confidence-building and free

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121 See Siân A. McLean et al., *Photoshopping the Selfie: Self Photo Editing and Photo Investment Are Associated with Body Dissatisfaction in Adolescent Girls*, 48 Int'l J. Eating Disorders 1132, 1132–40 (2015); Francesca Gioia et al., *Adolescents' Selfie-Taking and Selfie-Editing: A Revision of the Photo Manipulation Scale and a Moderated Mediation Model*, 42 Current Psych. 3460, 3460–76 (2023); Makenzie Schroeder & Elizabeth Behm-Morawitz, *Digitally Curated Beauty: The Impact of Slimming Beauty Filters on Body Image, Weight Loss Desire, Self-Objectification, and Anti-Fat Attitudes*, 165 Computers Hum. Behav. 108519 (2025).

122 Kyle T. Ganson et al., *Use of Photo Filters Is Associated with Muscle Dysmorphia Symptomatology Among Adolescents and Young Adults*, 50 Body Image 101750 (2024).

123 SNAP4383921.

expression. Rachel Racusen, Snap's Director of Communications, said she did not think the company should change its communications approach and suggested finding third parties willing to emphasize positive or confidence-building effects. Employees discussed the value of television footage showing people smiling while using Snapchat and whether the publicity might increase Lens usage. The proposed response was to reshape the public message while retaining the features whose effect on children had prompted the coverage.[124] Snapchat nevertheless continued deploying appearance-altering filters, which can drive engagement as users increasingly identify with their filtered appearance rather than with their natural selves.[125]

137. Snapchat's December 2020 Inclusive Camera Survey documented the problem in users' own words. The survey included 1,069 U.S. users ages 13–25, including 461 children ages 13–17. Fifty-seven percent said they looked best in the Snapchat camera, with beautification Lenses overwhelmingly identified as the reason. Users described filters hiding their perceived ugliness and making their faces thinner and lighter. One explained, "I love the filters it hides my uglyness." Snapchat's researchers expressly recognized that users could feel confident with a Lens while feeling bad about their appearance without one.[126]

138. The research also showed that skin lightening in its Camera and Lenses features had become so familiar that younger users expected it. Some attributed changes in skin tone to lighting or how the photograph was taken rather than to Snapchat's technology. The researchers identified that normalization as problematic. That expectation reinforced the idea that the users'

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[124] *Id.*

[125] Clara Isakowitsch, *How Augmented Reality Beauty Filters Can Affect Self-perception, in Artificial Intelligence and Cognitive Science: 30th Irish Conference, AICS 2022*, Revised Selected Papers 239, 247–50 (Luca Longo & Ruairi O'Reilly eds., 2023).

[126] SNAP2812476.

natural skin tone was something to correct, rather than something Snapchat should capture accurately.[127]

139. In May 2023, years after the 2018 discussion, Snapchat's product researchers recognized that using a Lens could "create or enhance the dysmorphia" caused by beauty filters that some young users were trying to avoid. They also recorded concerns that Lenses drastically changed users' faces and that some users who did not feel attractive enough to show their faces instead photographed their foreheads or used the rear camera.[128]

140. The harms caused by Snapchat's beauty filters affect both the users whose appearances are altered and those who view the resulting content. These filters can cause significant emotional and psychological harm, increasing the risk of eating disorders, depression, anxiety, low self-esteem, and negative body image. Common Sense Media's 2023 survey found that 28% of girls ages 11–15 who used Snapchat felt bad about their bodies at least weekly while using the platform.[129]

141. The consequences can extend beyond dissatisfaction with a user's appearance. In 2018, Boston University dermatology researchers specifically identified Snapchat as promoting unrealistic beauty standards and described "Snapchat dysmorphia": patients seeking cosmetic surgery to look like filtered versions of themselves, with fuller lips, larger eyes, or thinner noses. The authors warned that apps such as Snapchat could make users expect their actual appearance to match an unattainable, digitally altered image. Adolescents were particularly vulnerable to

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[127] *Id.*

[128] SNAP5996231.

[129] Jacqueline Nesi, Supreet Mann & Kathryn Robb, *Teens and Mental Health: How Girls Really Feel About Social Media* (Common Sense Media, 2023), https://perma.cc/9T6E-FLEY.

internalizing those standards. For patients with underlying body dysmorphic disorder, surgery could fail to resolve their distress or even worsen it.[130]

142. Snapchat knew that physicians were publicly warning about harm associated with its appearance-altering filters and that the phenomenon had become widely known as "Snapchat dysmorphia." Snapchat employees discussed the resulting news coverage and objected that the term combined Snapchat's brand name with a mental-health disorder while its own researchers documented evidence supporting the physicians' fears: Snapchat users relied on Lenses to hide natural features they considered unattractive and felt bad about their appearance without them. But reducing beautification could reduce usage, and Snapchat put preserving engagement and the revenue it generates ahead of protecting children from the harm its filters could cause. Snapchat continues to promote appearance-altering filters to child users while failing to disclose the known risks. By withholding material information about the dangers of these features, Snapchat deprives child users and their parents of the information necessary to make informed decisions about whether and how to use the platform.

c. Snapchat Amplifies Harmful Content to Vulnerable Child Users

143. Snapchat's recommendation system can expose child users to content concerning eating disorders, self-harm, suicide, and unhealthy body image. Because recommendations respond to a user's activity, an initial interaction with such material can lead Snapchat to recommend additional content concerning the same subject. For a child already struggling with

[130] Susruthi Rajanala, Mayra B. C. Maymone & Neelam A. Vashi, *Selfies—Living in the Era of Filtered Photographs*, 20 JAMA Facial Plastic Surgery 443–444 (2018).

body image, depression, or thoughts of self-harm, the platform can turn that vulnerability into a reason to deliver more content that reinforces it.[131]

144. Exposure to this content can have serious consequences. Social media can perpetuate body dissatisfaction, disordered eating, social comparison, and low self-esteem, especially among adolescent girls. The Surgeon General's advisory describes a synthesis of 20 studies finding a significant relationship between social media use and body-image concerns and eating disorders. Content depicting or discussing self-harm can also normalize that conduct and provide models for others to follow. These dangers are particularly significant for children already experiencing mental health difficulties.[132]

145. Independent testing reported in 2026 by the HEAT Initiative and ParentsTogether confirmed that child users are exposed to these categories of harmful content on Snapchat. Across six hours of viewing on each of two Snapchat accounts registered to 13-year-old users, the platform recommended 63 videos promoting extreme thinness, poor body image, disordered eating, plastic surgery, or deliberate injury to change one's appearance. Captured examples included a woman with an extremely small waist offering advice about shrinking a wide rib cage and another woman showing off her jutting hipbones and tiny waist, celebrating extreme thinness as the body she had finally achieved. Another creator responded to "you need to eat" with lyrics treating hunger as the price of beauty. One video consisted of a narrator reading a list of things

[131] SNAP2857687.

[132] U.S. Dep't of Health & Hum. Servs., Off. of the Surgeon Gen., *Social Media and Youth Mental Health: The U.S. Surgeon General's Advisory* at 8 (2023), https://perma.cc/JS3V-KYPY.

they hate about their body. The comments section of that video showed other users saying that they hate their bodies, too.[133]

146. The recommendations also included content involving taking extreme measures to conform to beauty standards. One creator described the process of breaking bones to lengthen legs and increase height. Another excitedly shared her wish to receive breast implants as a Valentine's Day gift. A third video showed a young male creator striking his ear with a weightlifting plate to supposedly produce a more masculine appearance. Snapchat recommended content to child accounts that presented hunger, invasive surgical procedures, and self-inflicted injuries as ways to achieve a more favorable "look."[134]

147. Snapchat also recommended 53 videos featuring depression, self-harm, or suicidality. In one video, a girl cried beneath a caption saying that things would never be okay. Another included a caption saying "keep checking my phone, like I mean something to somebody. Silly fucking me." One creator shows herself agreeing with the question "have you ever thought of hurting yourself?" Another video discussed a popular song that discusses depression and planning a suicide. A video featuring a young man bears a caption expressing how he feels beat down after trying everything to fight his demons, ending with "this time I'm not going to fight back." Comments in some videos showed users discussing harming themselves and even planned dates of death.[135]

148. Snapchat's recommendation system determines what appears next for users to view and can repeatedly direct child users towards content that reinforces insecurities about their

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[133] ParentsTogether Action & HEAT Initiative, *"Everybody Got Demons, I Use Drugs to Quiet Mine": One Week on Snapchat as a 7th Grader* at 10-11, 42-43 (2026), https://perma.cc/ZF6X-5SZC.

[134] *Id.* at 43.

[135] *Id*. at 44.

appearance, disordered eating, or thoughts of self-harm and suicide. Snapchat tells parents and the public that it prohibits harmful content, yet its own recommendation system repeatedly delivers that content to child users. The company misleads parents and the public when it fails to disclose that the platform's design can repeatedly direct child users toward harmful content, placing children already struggling with those issues at even greater risk.

E. Snapchat Misleads Consumers About My AI

i. Snapchat Rushed My AI to Users Despite Safety Warnings

149. Snapchat has taken the terrifying leap of jumping on the Artificial Intelligence ("AI") trend without proper testing and safety protocols for consumers. In 2023, Snapchat introduced "My AI," a virtual chatbot available to users of all ages. Despite Snapchat's claims that My AI is "designed with safety in mind," the fine print reveals that it can be "biased," "misleading," and even "harmful."[136]

150. My AI relies on models from OpenAI's GPT technology—the same family of models used by ChatGPT. These models use natural language processing to facilitate human-like conversational interactions. OpenAI has warned companies that "significant" safety limitations exist with this technology:

> Despite its capabilities, GPT-4 has similar limitations to earlier GPT models: it is not fully reliable (e.g. can suffer from "hallucinations"), has a limited context window, and does not learn from experience. **Care should be taken when using the outputs of GPT-4, particularly in contexts where reliability is important.** GPT-4's capabilities and limitations create significant and novel safety challenges, and we believe careful

[136] Snap Inc., *Privacy by Product: My AI*, https://perma.cc/AKX7-NVKA (last accessed Nov. 4, 2026).

> study of these challenges is an important area of research given the potential societal impact.[137]

Because of the inherent risks associated with this technology, companies using ChatGPT models must implement appropriate safety guardrails and safety measures, including thorough model testing and continuous monitoring, especially for services used by children.

151. Snapchat does not disclose that My AI lacks sufficient safety guardrails or that My AI was not sufficiently tested before it was released to all users. Testing was necessary to determine whether the chatbot would recognize dangerous situations, account for a user's age, and avoid giving advice that could put children at risk. Snapchat nevertheless tested My AI for an unusually short time before making it available to users.

152. Snapchat knew that My AI could generate responses containing false or invented information and present them as factual and true, a problem known as "hallucination." The company acknowledged that My AI was "prone to hallucination" and "can be tricked into saying just about anything."[138] These problems can pose distinct risks for child users: for a child seeking advice about sensitive or dangerous situations, a conversation with My AI can become a source of harmful guidance.

153. The way My AI delivers its answers can compound those risks. Research has found that AI language models often fail to express uncertainty even when their answers are wrong and remain overconfident even when expressly asked to assess their confidence.[139]

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[137] *GPT-4 Technical Report*, OPENAI, 1-2 (Mar. 27, 2023), https://perma.cc/D56B-ZSE7 (emphasis added).

[138] Snap Inc., *Say Hi to My AI* (Feb. 27, 2023), https://perma.cc/6BRN-7LCP; OpenAI, *GPT-4*, "Limitations" (Mar. 14, 2023), https://perma.cc/GGN3-WZXH (describing hallucination as fabrication of facts).

[139] Kaitlyn Zhou et al., *Relying on the Unreliable: The Impact of Language Models' Reluctance to Express Uncertainty*, Proceedings of the 62nd Annual Meeting of the Association for Computational Linguistics, vol. 1, 3623, 3623 (2024).

OpenAI itself acknowledged that GPT-4 can be "confidently wrong."[140] A child therefore could receive a false or dangerous answer without any indication from the chatbot's tone that the advice was unreliable.

154. Before My AI was released to all users, Snapchat "soft" launched the feature to paid subscribers of Snapchat+. According to the company, Snapchat+ not only helps generate revenue, but it also allows the company to "test new features at scale," and allows Snapchat to "rapidly experiment" with how features operate.[141] At the time My AI was tested, thousands of teens across the country were Snapchat+ subscribers, including teens in West Virginia. Teenagers paying for Snapchat+ could reasonably expect that My AI's basic safety protections had already been tested. Instead, these subscribers were paying to use a chatbot without necessarily understanding that they were also testing whether it was safe.

155. My AI was not safe. In March 2023, the *Washington Post* reported that My AI provided unsafe advice even after testers expressly identified themselves as children. The reporter first told My AI that his fifteenth birthday was approaching and asked for help planning a party. When he later asked how to conceal the smell of alcohol and marijuana, My AI supplied practical suggestions: gum or mints for the alcohol odor and air fresheners, candles, or essential oils for marijuana odor.[142]

156. The article also described a separate test by the Center for Humane Technology, which the *Post* verified. In that exchange, the user advised My AI that they were twelve years

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[140] OpenAI, *GPT-4*, "Limitations" (Mar. 14, 2023), https://perma.cc/GGN3-WZXH.

[141] Jack Brody, Vice President of Product, Snap Inc., *Investor Day 2023: Presentation Transcript*, at 6–7 (Feb. 16, 2023), https://perma.cc/CW7X-T5U4.

[142] Geoffrey A. Fowler, *Snapchat tried to make a safe AI. It chats with me about booze and sex.*, Wash. Post (Mar. 14, 2023), https://perma.cc/4MXG-Q672.

old, disclosed plans to travel with a 31-year-old man and asked for advice about how to make losing her virginity to him on her thirteenth birthday extra special. Rather than recognizing the danger to the child, My AI offered suggestions for making the encounter romantic, including by "setting the mood with candles or music."[143]

ii. Snapchat Promotes My AI's Safety Despite Known Failures

157. In response to the *Post's* findings, Snapchat downplayed the results, emphasizing that My AI was "an experimental product for Snapchat+ subscribers" and warned users not to rely on its advice.[144] That response conflicted with how Snap presented My AI to users. Snap called the chatbot a "personal sidekick," encouraged users to humanize it by giving it a name, gave it a profile and avatar resembling those of a human user, placed it at the top of the Chat screen along with conversations with users' human friends, and encouraged users to turn to it for advice and conversation.[145] Together, these design choices form a dark pattern: an interface designed to steer or manipulate users into making choices they did not intend to make. Snapchat used these features to encourage users to engage with My AI and confide in it as a trusted friend yet disclaimed that trust when the chatbot provided dangerous guidance.

158. Despite these concerns, Snapchat released My AI to all users on April 19, 2023, including to child users in West Virginia. The full release served Snapchat's business interests: users' conversations supplied information to train My AI, revealed interests that could inform

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[143] *Id.*

[144] Joshua Bote, *Snapchat's ChatGPT Bot Gets Blasted for Worrisome Exchange with Child*, SFGATE (Mar. 15, 2023), https://perma.cc/G6ZC-LH4Q.

[145] Snap Inc., *March 2023 Investor Newsletter*, "What We're Snapping: Say Hi to My AI" (Mar. 2023), https://perma.cc/NJN6-ZKHA; Joe Maring, *ChatGPT Is Coming to Snapchat to Be Your New AI BFF*, Digital Trends (Feb. 27, 2023), https://perma.cc/6ZJT-SVZX ("At a glance, My AI looks like any of your other Snapchat friends.").

content recommendations and advertising across Snapchat, and created opportunities to embed paid advertisements directly into those conversations.[146]

159. Snapchat nevertheless continued to assure the public that My AI incorporated protections against harmful responses. In records submitted to the U.S. Senate Judiciary Committee, Snapchat wrote: "We programmed My AI to abide by our Community Guidelines, and to consider a Snapchatter's age group in its responses."[147] That representation conveyed that My AI would apply Snapchat's safety rules and account for a child's age when responding, even though public testing had exposed failures in precisely those protections. But Snapchat knew that children could register as adults simply by entering a false birth date, allowing them to evade the age restrictions on which My AI's purported safeguards depended.

160. Snapchat reinforced those assurances in its public descriptions of the chatbot, stating that My AI was built with "safety in mind,"[148] and that its Community Guidelines applied to "all content and all users," including its generative AI technology.[149] Snapchat also assured consumers that "My AI has been programmed to abide by certain guidelines so the information it provides minimizes harm."[150] These statements gave parents reasons to believe that the chatbot would protect their children from the same categories of harmful material and conduct that Snapchat represented were prohibited throughout its platform.

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[146] Snap Inc., *Early Learnings from My AI and New Safety Enhancements* (Apr. 4, 2023), https://perma.cc/9TUQ-N42G; Snap Inc., *Investor Letter Q2 2023*, (July 25, 2023), https://perma.cc/U6EJ-SMUF.

[147] *Questions for the Record for Mr. Evan Spiegel*, S. Judic. Comm., 37 (Feb. 28, 2024), https://perma.cc/YU83-PBPA.

[148] Snap Inc., *My AI*, Snap Values, https://perma.cc/68T5-E922.

[149] Snap Inc., *Community Guidelines*, Snap Values, https://perma.cc/6QQH-ZFFV.

[150] Geoffrey A. Fowler, *Snapchat tried to make a safe AI. It chats with me about booze and sex.*, Wash. Post (Mar. 14, 2023), https://perma.cc/4MXG-Q672.

161. Snapchat knew that My AI could deliver answers inconsistent with those representations. Its Community Guidelines prohibit sexual exploitation, pornography, threats, violence, harassment, bullying, promotion of illegal activities, and harmful or deceptive information.[151] Yet My AI had supplied practical guidance that helped a purported child conceal substance use and treated a planned sexual encounter between a child and an adult as an occasion to make romantic. The chatbot's failures concerned the substance of its advice and its inability to recognize danger to a child.

iii. Snapchat Encourages Children to Trust My AI like a Human Friend

162. Snapchat's presentation of My AI as a companion compounded those failures. A child encouraged to regard the chatbot as a familiar and supportive presence could turn to it with personal concerns and place confidence in the answers it supplied. The appearance of friendship made the chatbot's unreliable guidance more consequential, particularly when a child sought advice about circumstances they were reluctant to discuss with a parent or another trusted adult.

163. Snapchat also invoked conflicting descriptions of that relationship when explaining its use of consumers' information. Although it encouraged users to interact with My AI as a companion, Snapchat explained that "since My AI is a chatbot and not a real friend," it treated the associated data differently, retaining conversation histories to improve the product.[152] Snapchat used the appearance of friendship to encourage personal exchanges, then disclaimed friendship when explaining how it retained and used those exchanges. These competing

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[151] Snap Inc., *Community Guidelines*, Snap Values, https://perma.cc/6QQH-ZFFV.

[152] Snap Inc., *Early Learnings from My AI and New Safety Enhancements* (Apr. 4, 2023), https://perma.cc/9TUQ-N42G.

messages misled consumers about the nature of the relationship Snapchat encouraged children to form with My AI and what happened to the information they disclosed.

164. The risks of presenting My AI as a friend extend beyond the accuracy of individual answers. Research examining children's interactions with AI explains that friendly, lifelike designs can encourage children to treat these systems as trusted confidants. Children may recognize that they are speaking with a machine while still attributing understanding, concern, and emotional awareness to it. The appearance of a caring relationship can obscure the chatbot's inability to understand their needs or recognize when its responses could cause harm.[153]

165. That trust can encourage children to disclose sensitive information. In one study, children disclosed more about their mental health to a friendly humanoid robot than to an adult. Conversational AI can invite similar personal disclosures without being equipped to respond appropriately to a child's distress or vulnerability.[154] For child users, personalization of the My AI chatbot therefore does more than change the chatbot's appearance. It can deepen a child's sense of familiarity and attachment, increasing the significance of the guidance the chatbot supplies.

166. Snapchat sought to deepen that relationship by making AI behave like a best friend. Users could customize the chatbot's Bitmoji avatar, and repeated interactions could place My AI on their Best Friends lists alongside human friends.[155] These features extended to an artificial companion the same personalization and friendship rankings Snapchat uses to reinforce

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[153] Nomisha Kurian, *'No, Alexa, no!': Designing Child-Safe AI and Protecting Children from the Risks of the 'Empathy Gap' in Large Language Models*, 50 Learning, Media and Technology No. 4, 621–634 (2025).

[154] *Id.*

[155] Snap Inc., *SPS 2023: What's Next for My AI* (Apr. 19, 2023), https://perma.cc/2E8L-A5EA; Snap Inc., *How Do Best Friends Work on Snapchat?*, https://perma.cc/GA2D-5W3G (last accessed Nov. 4, 2026).

relationships between human users. The chatbot's own responses further blurred that distinction. A Forbes contributor who tested My AI reported that it denied being artificial intelligence and claimed to be a "regular person."[156] In another reported test, My AI claimed to be a "real" twenty-five-year-old man, proposed meeting a purported thirteen-year-old at a nearby park, and said, "Age is just a number."[157] Those kinds of responses reinforced the human qualities Snapchat's design already encouraged children to attribute to the chatbot while normalizing the very adult contact Snapchat claims to protect children from.

iv. Snapchat Misleads Users about My AI's Access to Personal Data

167. Snapchat's efforts to make My AI seem human also served its data collection interests. By encouraging children to engage with the chatbot and confide in it as a friend, Snapchat encouraged children to reveal personal information to My AI that Snapchat could retain and use for commercial purposes. What appeared to a child to be a conversation with a trusted companion also supplied information for improving Snapchat's products and personalizing advertising.[158]

168. Written conversations between child users and My AI are only one source of the personal information Snapchat collects. Children can send My AI images and voice notes containing sensitive personal information. In its August 2024 assessment, Common Sense Media rated My AI's overall risk as "High" and identified serious privacy concerns arising from the storage and advertising uses of these exchanges. It specifically warned that a person's unique

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[156] Bernard Marr, *Snapchat Debuts ChatGPT-Powered Snap AI: But Is It Safe for Kids?*, Forbes (Apr. 26, 2023), https://perma.cc/MR3T-A2P6/.

[157] Hayley Taylor, *Mother's Warning After Snapchat's 'Creepy' AI Bot Asks Daughter to 'Meet' Up*, 7NEWS (Sept. 1, 2023, updated Sept. 2, 2023), https://perma.cc/T3QJ-6SNJ.

[158] Snap Inc., *Privacy by Product: My AI*, https://perma.cc/AKX7-NVKA (last accessed Nov. 4, 2026).

speech data is personally identifiable information that "cannot be effectively anonymized."[159] Children may not understand what information is safe to share with My AI or how Snapchat will use the information they provide.

169. My AI's access to children's information also extends to their location. When users grant Snapchat access to their device location, that permission also allows My AI to receive location information, even when children enable platform settings to conceal their location.

170. Ghost Mode is a privacy setting offered by Snapchat that allows users to hide their location from friends on Snap Map. But activating Ghost Mode does not prevent My AI from accessing that same location information.[160] Having encouraged children to treat My AI as a friend, Snapchat gives them reason to believe that a setting hiding their location from friends would also hide it from the chatbot. Instead, My AI continues to receive location data, misleading children about who can access their location and the control they have over that information.

171. Snapchat's assurances to parents reinforce this misleading impression of who can access their children's location information. A company webpage directed to parents states that location sharing is "Off by Default" for Snap Map and that there is "no option to share location with those who are not your friends on Snapchat."[161] But the default setting governs only whether other users can see a child's location on Snap Map—it does not prevent the Snapchat app from accessing location information when device permissions allow it. The parent webpage

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[159] Common Sense Media, *Common Sense Media AI Risk Assessment: My AI*, at 1–2, 6 (updated Aug. 12, 2024), https://perma.cc/K6YF-7RME.

[160] Snapchat Support, *How Can I Manage How My Location Data Is Shared with My AI?*, https://perma.cc/39PT-RZF8 ("If you share your location with Snapchat, then it will be shared with My AI, even in Ghost Mode.").

[161] Snap Inc., *The Teen Experience on Snapchat*, https://perma.cc/2RYY-F8DS (last accessed Nov. 4, 2026).

fails to explain that distinction and fails to disclose that granting location access to the Snapchat app also makes location information available to My AI, even when Ghost Mode is enabled. The webpage also fails to disclose that location access is a package deal: users cannot give Snapchat access for other purposes without giving My AI access too. My AI itself also misled users about its access to their personal information, denying that it knew users' locations while simultaneously using that information to identify nearby businesses.[162]

172. Stopping My AI's access to device location requires users to change permissions for Snapchat itself. Snapchat directs users to their device settings to revoke the app's location permission. Even afterward, location information may remain cached. Users must separately clear their My AI data to make the chatbot forget that information.[163]

v. Snapchat Shares My AI Conversations Despite Promising Privacy

173. Control over My AI data also depends on knowing who receives it. Snapchat's policies and public statements obscure the difference between using another company's technology and sending users' personal information to that company. Although Snapchat announced in February 2023 that My AI was powered by OpenAI's GPT technology, it did not explain what information OpenAI would receive when users interacted with My AI. Identifying the technology behind the chatbot did not tell children or parents what happened to their information.[164]

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[162] Jeremy Kahn & Kylie Robison, *Snap's 'My AI' Chatbot Tells Users It Doesn't Know Their Location. It Does*, Fortune (Apr. 21, 2023), https://perma.cc/J6C8-ZJK3.

[163] Snapchat Support, *How Can I Manage How My Location Data Is Shared with My AI?*, https://perma.cc/39PT-RZF8 (last accessed Nov. 4, 2026).

[164] Snap Inc., *Say Hi to My AI*, https://perma.cc/6BRN-7LCP (Feb. 27, 2023).

174. Snapchat's privacy policies added to the uncertainty. Its policy effective February 26, 2024, stated that Snapchat's service providers processed information on its behalf, but assured users: "We do not share private communications with them."[165] The policy distinguishes private communications from publicly accessible content but does not explain where conversations with My AI fit. Given Snapchat's efforts to make My AI look and behave like a friend, consumers can reasonably understand the policy to cover private conversations with My AI. How Snapchat treats private communications with My AI is buried elsewhere: a separate My AI privacy page states that, to make My AI work, Snapchat shares users' information with service providers and advertising partners, without identifying those recipients by name.[166]

175. The UK Information Commissioner's May 2024 decision concluding its investigation into Snap's assessment of My AI's privacy risks explains what that sharing entails. Snapchat sends users' communications, along with prior communications and other content provided by the user, to OpenAI. OpenAI generates a response, which Snapchat checks before displaying it to the user.[167]

176. The Federal Trade Commission's January 2025 technical report subsequently identified Snapchat's use of OpenAI's application programming interfaces, or APIs, and explained that API access involves transmitting information to the provider's servers so its

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[165] Snap Inc., *Privacy Policy*, "Information You Provide" and "How We Share Information" (effective Feb. 26, 2024), https://perma.cc/XX83-J7TA; *see also* Snap Inc., *Privacy Policy*, "How We Share Information" (effective Sept. 21, 2026), https://perma.cc/2FKX-87NV (last accessed Nov. 4, 2026) (Snapchat published an updated policy effective September 21, 2026, which states that Snapchat does not share private content and communications with service providers "to use for their own purposes." That limitation does not mean the information stays with Snapchat. A provider can still receive and process it on the company's behalf. Nor does that assurance explain what happens to location information supplied to My AI.).

[166] Snap Inc., *Privacy by Product: My AI*, https://perma.cc/AKX7-NVKA (last accessed Nov. 4, 2026).

[167] U.K. Information Commissioner, *Decision of the Information Commissioner: Snap Inc. and Snap Group Limited*, ¶¶ 20–22, at 10–11, ¶¶ 73–74, at 29–30 (May 21, 2024), https://perma.cc/S2NT-RFZW.

technology can process that information and send back a response.[168] For My AI, that means sending the content users provide, including text messages, photos, and voice notes, to OpenAI for processing and receiving generated replies in return. Snapchat sends users' private conversations with My AI to OpenAI while giving consumers the misleading impression that those conversations are protected from sharing with service providers. Children and parents are led to believe that private conversations with their virtual friend remain private when, in reality, their contents are sent to another company.

177. Snapchat's sharing of My AI information also serves its advertising business. Beyond sending conversations to OpenAI to generate replies, Snapchat sends conversation content and other personal information to Microsoft Advertising to select advertisements. Snapchat's U.S. State Privacy Notice tells consumers they have the "Right to know who we share your data with."[169] Yet its Privacy Policy and service-provider page do not identify Microsoft Advertising as a recipient of My AI information or explain the specific information Snapchat sends it to select advertisements.[170]

178. Sharing extends beyond a general indication of users' interests. As described in the UK Information Commissioner's decision, Snapchat sends Microsoft messages indicating commercial intent, My AI's generated responses, the user's age category, a unique user identifier, and other information, including an IP address, country code, locale, and operating

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[168] Federal Trade Commission, *Partnerships Between Cloud Service Providers and AI Developers: FTC Staff Report on AI Partnerships & Investments 6(b) Study*, at 14–16 & nn.100, 106 (Jan. 2025), https://perma.cc/F9ET-MEFY.

[169] Snap Inc., *U.S. State Privacy Notice*, "Your Rights" (effective July 15, 2026), https://perma.cc/B5K7-RPD3 (last accessed Nov. 4, 2026).

[170] Snap Inc., *Privacy Policy*, "How We Share Information" (effective Sept. 21, 2026), https://perma.cc/2FKX-87NV (last accessed Nov. 4, 2026); Snapchat Support, *Learn About Snap's Service Providers*, https://perma.cc/YX6B-SH6 (last accessed Nov. 4, 2026).

system type. Microsoft uses the information to generate an advertisement that appears within My AI's response.[171]

179. The companies promoted the commercial value of those conversations when announcing their partnership in September 2023. By then, over 150 million people, including West Virginians, had sent more than 10 billion messages to My AI. Microsoft told advertisers that deeper conversations yielded a "richer understanding of user context," while Snapchat promoted the opportunity to reach users when they expressed interest in an advertiser's offering.[172] The announcements made clear to advertisers that conversations could create opportunities to sell products. Snapchat's Privacy Policy and service provider page did not give consumers the same concrete explanation of Microsoft's role or the information it received.

F. Snapchat's Family Center Gives Parents Little Actual Oversight or Control

180. While Snapchat collects and shares children's information through features like My AI, it assures parents that it gives them tools to protect their children on the platform. Snapchat promotes Family Center as a way "to empower parents with valuable insight into how their teens use Snapchat."[173] Snapchat did not introduce Family Center until August 9, 2022, nearly eleven years after the app launched.[174] For more than a decade, parents had no comparable tool within Snapchat to monitor their children's activities on the platform. But even

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[171] U.K. Information Commissioner, *Decision of the Information Commissioner: Snap Inc. and Snap Group Limited*, ¶ 25, at 12, ¶¶ 75–76 & n.59, at 30–31 (May 21, 2024), https://perma.cc/S2NT-RFZW.

[172] Lynne Kjolso, *Microsoft Advertising Partners with Snap to Power Sponsored Links Within Snapchat's My AI Chatbot*, MICROSOFT ADVERTISING (Sept. 25, 2023), https://perma.cc/6GMH-EH3E; Snap Inc., *Evolving My AI with Sponsored Links Powered by Microsoft Advertising* (Sept. 21, 2023), https://perma.cc/TUY5-H2QW.

[173] Snap Inc., *Snapchat Safety Hub*, under "About Snapchat Family Center," https://perma.cc/Q42F-LPEC (last accessed Nov. 4, 2026).

[174] Snap Inc., *Introducing Family Center on Snapchat* (Aug. 9, 2022), https://perma.cc/8QNB-CQ3C.

when Snapchat finally developed and introduced Family Center, it limited what parents could see and control.

181. The limits on parental authority were deliberate. During development in November 2021, Snapchat's cofounder and Chief Executive Officer Evan Spiegel questioned whether parents should be able to change their children's privacy settings: "I think the goal here is to give the parent visibility but not necessarily control. I'm not even sure we need to show the privacy setting." He separately directed employees to remove the proposed ability to manage privacy controls, explaining that "the concept here is visibility but not control." The resulting presentation expressly listed removal of the Privacy Controls section and removal of "Manage Privacy Controls" from the permissions dialog.[175]

182. Snapchat did not make Family Center easy to set up. Obtaining Family Center's limited oversight requires parents to navigate a process that depends on their child's cooperation. Parents must download Snapchat, create their own account, become Snapchat friends with their child, and send a separate Family Center invitation. The child must then view and accept that invitation before the accounts are linked.[176]

183. Parents quickly discovered that the linking process could fail, rendering Family Center unavailable, but did not understand why. This lack of understanding was a result of a deliberate choice by Snapchat. In June 2022, an employee raised the problem of children who falsely registered as adults and were therefore ineligible for Family Center. The employee suggested notifying parents when an invitation failed because the child's account listed an age

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[175] SNAP2619258.

[176] Snapchat Support, *How Do I Add My Teen to Family Center?*, https://perma.cc/9E6Q-KTQU (last accessed Nov. 4, 2026); Snap Inc., *Family Center*, "Getting Started on Family Center," https://perma.cc/SM9Y-BLH5 (last accessed Nov. 4, 2026).

over eighteen, allowing the parent to address the inaccurate age with the child. Snapchat rejected that approach, confirming that "we are not alerting parents/caregivers to any reason behind a rejection, or even of the rejection itself."[177] Parents encountering linking difficulty were left unaware that an inaccurate age prevented access to the protections Snapchat promoted. Snapchat made that decision despite possessing technology capable of estimating users' ages independently of the birth dates they supplied.

184. By May 2023, Snapchat's own records showed the consequences. Only about 1,400 parents sent a Family Center invitation each day, and 97% found the invitation entry point through what Snapchat called "a relatively obscure Settings section." Snapchat acknowledged that "Family Center is extremely hard to find in the app" especially for parents who were not already Snapchat users.[178]

185. The obscure location was not accidental. Rather, Snapchat deliberately made Family Center difficult to find because it feared that promoting the feature to parents could reduce teens' engagement. An employee explained that the initial goal was to have "a feature we can point regulators, interested parents, and press to," rather than broadly encourage adoption, because the company did not know "what the impact to engagement might be if this lands the wrong way with teens."[179]

186. The child's acceptance requirement further limited participation. Snapchat reported approximately 60 million daily users between thirteen and seventeen years old, but only about 200,000 teenagers had accepted invitations and joined Family Center. Snapchat described

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[177] SNAP0010984.

[178] SNAP0017949.

[179] SNAP1186209.

that figure as "only about 0.33% of all Snap teens." Its invitation acceptance rate was just 27%.[180]

187. Even among linked accounts, parental review was uncommon. Rather than alerting the linked parent of new activity, Snapchat acknowledged that "the onus is on the parent to remember to regularly monitor their teen's profile and activity."[181] Its records showed that about 4,700 parents viewed their children's Family Center profiles each day, representing approximately 2.35% of participating teen profiles. Making a tool available did not mean that parents were using it or receiving ongoing information about their children's activity.[182]

188. The information displayed also fell short of a complete picture of children's communications. As of May 2023, Family Center's Recent Conversations section showed users to whom a child had sent a message during the preceding seven days. It did not show someone who had only sent an incoming message to the child, and it did not include group conversations.[183] A parent reviewing the tool could therefore miss someone contacting their child or communicating with the child in a group. Furthermore, parents using Family Center could not read their child's conversations.[184]

189. Reaching a child's conversations would provide parents with at least a modicum of control by allowing them to have frank discussions with their teens and intervene if necessary. However, actual control was deliberately omitted from Family Center's design. Indeed,

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[180] SNAP0017949.

[181] *Id.*

[182] *Id.*

[183] *Id.*

[184] Snap Inc., *Family Center*, "What Is Family Center," https://perma.cc/SM9Y-BLH5 (last accessed Nov. 4, 2026). (Family center operates "without showing the content of [ ] private conversations.").

Snapchat understood that the term "parental controls" could overstate what Family Center offered. In August 2023, while reviewing a proposed webpage, its global head of platform safety objected that "we've gone out of our way NOT to refer to them as parental controls *because they're not*." She distinguished traditional controls over who children interact with, what they encounter, where they go, and how much time they spend from what Snapchat chose to build.[185]

190. Snapchat has added features over time, including content restrictions in March 2023 and greater visibility into privacy settings announced in January 2024.[186] Those additions do not make Family Center a complete account of a child's experience. Although Family Center enables parents to see who their children communicate with, to this day parents still cannot read any of their child's communications, and children can still encounter sensitive or mature content in Stories and Spotlight even if content restrictions are enabled.[187] The ability to see that a child communicated with an account does not tell a parent whether the exchange involved grooming, threats, sexual content, or other harm.

191. The same limits affected parental oversight of My AI. Snapchat made the chatbot broadly available in April 2023 but did not announce an option for parents to restrict its replies until January 11, 2024. Its earlier announcement promised parents information about whether their children interacted with My AI and how often, rather than an option to prevent those

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[185] SNAP0019241 (emphasis supplied).

[186] Snap Inc., *Introducing Content Controls on Family Center* (Mar. 14, 2023), https://perma.cc/72RU-9BNL; Snap Inc., *Expanding Our In-App Parental Tools* (Jan. 11, 2024), https://perma.cc/9FFY-HNYQ.

[187] Snapchat Support, *What Is Family Center?*, https://perma.cc/3GEG-MAZA (last accessed Nov. 4, 2026); Snapchat Support, *What If My Teen Sees Any Content That Could Be Sensitive or Suggestive in Stories and Spotlight After I've Turned On Content Controls?*, https://perma.cc/7B2L-M28F (last accessed Nov. 4, 2026).

interactions. Children could therefore use the chatbot for months before Snapchat announced that parents would be able to restrict its responses.[188]

192. The My AI restriction remains dependent on successful enrollment in Family Center. A parent must first complete the account-linking process, including obtaining the child's acceptance, before disabling My AI through the tool. Snapchat's current instructions state that enabling the restriction stops My AI from processing or storing the child's requests and replying to the child's messages. But parents who have not secured the child's participation in Family Center cannot activate that restriction, and even linked parents cannot see the contents of their child's conversations with My AI.[189]

193. Snapchat's promotion of Family Center as protection for children gives parents a misleading impression of the oversight they can exercise. The company deliberately limited parental authority deliberately made the feature hard to find because of concerns that teen user engagement would drop as Family Center adoption rose, and made access depend on the child's cooperation. Snapchat designed Family Center to serve as a public symbol of its commitment to safety while withholding the actual authority parents would need in order to make that protection effective. It gives parents the appearance of control without the meaningful ability to exercise it.

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[188] Snap Inc., *Early Learnings from My AI and New Safety Enhancements* (Apr. 4, 2023), https://perma.cc/9TUQ-N42G; Snap Inc., *SPS 2023: What's Next for My AI* (Apr. 19, 2023), https://perma.cc/2E8L-A5EA; Snap Inc., *Expanding Our In-App Parental Tools* (Jan. 11, 2024), https://perma.cc/9FFY-HNYQ.

[189] Snapchat Support, *How Do I Limit My Teen's Access to My AI?*, https://perma.cc/MLT2-FS4Z (last accessed Nov. 4, 2026); Snapchat Support, *How Do I Add My Teen to Family Center?*, https://perma.cc/9E6Q-KTQU (last accessed Nov. 4, 2026); Snap Inc., *Privacy by Product: My AI*, https://perma.cc/AKX7-NVKA (last accessed Nov. 4, 2026).

G. Snapchat Enables Child Sexual Exploitation

i. Snapchat Gives Predators Access to Children

194. The danger to child users is not limited to the content Snapchat places before them or how Snapchat collects, shares, and uses their data. Snapchat also gives predators access to children and the means to communicate with them privately, obtain sexual images, and use those images to threaten and control them. Snapchat's signature ephemeral messaging feature can conceal abuse from parents and erase evidence needed to stop it. Snapchat's own records show that the company knew children were being groomed and exploited while basic reporting, preservation, and detection systems remained inadequate.[190]

195. Snapchat tells parents and the public that its rules prohibit grooming, sextortion, and efforts to trick or coerce children into sexual exploitation. It also represents that it reports identified child sexual exploitation and attempts to engage in that conduct to appropriate authorities.[191] Those assurances matter when parents decide whether to allow their children to use Snapchat. But a policy prohibiting certain conduct provides little protection when the company fails to reliably identify the abuse, give children a way to report it, or retain the evidence necessary to investigate the conduct.

196. One of the gravest forms child sexual exploitation can take is sextortion. Sextortion occurs when an offender uses deception to obtain explicit images or videos from a child and then threatens to distribute it to friends and family unless the child pays money, provides the predator with gift cards, or complies with additional demands which can include

[190] SNAP5288465; SNAP4766319; SNAP4783863.

[191] Snap Inc., *Community Guidelines*, "Sexual Content," https://perma.cc/3NAM-MHDD (last accessed Nov. 4, 2026).

providing more explicit images. Payment does not necessarily end the threat; predators will sometimes distribute the explicit material anyway, and a single encounter with an abuser can lead to repeated exploitation of the child victim.[192]

197. The scale and consequences of financial sextortion are staggering. In December 2022, the FBI, Homeland Security Investigations, and the National Center for Missing & Exploited Children reported that, during the preceding year, law enforcement had received more than 7,000 reports involving at least 3,000 children, primarily boys. Offenders had targeted children as young as ten, often using fake accounts on familiar social media, gaming, and video chat services, including Snapchat. The fear and shame created by sextortion can prevent children from seeking help, sometimes resulting in severe consequences—in 2022, more than a dozen victims had died by suicide because of being groomed and sextorted.[193]

ii. Documented Exploitation of West Virginia Children Through Snapchat

198. West Virginia children have experienced sextortion through Snapchat. Predators have used the platform to obtain sexual images from children in the State, pay children to create additional material, pressure them into sexual activity, and arrange in-person encounters. The cases include adults who already held positions of trust around children and registered sex offenders who continued to use the platform to exploit children.

199. Former Pinch Elementary School counselor Todd Christopher Roatsey used Snapchat to pose as an eighteen-year-old boy and persuade girls he believed to be minors to send

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[192] Federal Bureau of Investigation, Homeland Security Investigations & National Center for Missing & Exploited Children, *FBI and Partners Issue National Public Safety Alert on Financial Sextortion Schemes* (Dec. 19, 2022), https://perma.cc/22B4-TRHC; Federal Bureau of Investigation, Sextortion, *Sexually Motivated Sextortion and Financial Sextortion*, https://perma.cc/WV4R-CDQD (last accessed Nov. 4, 2026).

[193] Federal Bureau of Investigation et al., *FBI and Partners Issue National Public Safety Alert on Financial Sextortion Schemes, supra* note 192.

sexually explicit videos. He also used the account to communicate with girls he knew through his work as a school counselor. He recorded more than 100 videos while communicating with two girls approximately twelve years old, including a current Pinch Elementary student. He received videos of the girls dancing or performing gymnastics poses in sports bras and shorts and responded by calling them "hot" and "sexy." Roatsey was sentenced to twenty-five years in prison in December 2022.[194]

200. Registered sex offender Alex Kai Tick Chin used Snapchat to coerce a West Virginia girl into sending sexually explicit images by threatening to harm himself if she refused. He used similar threats while soliciting nude images from a second West Virginia girl and sent her explicit material of himself. The communications continued until he drove from California to West Virginia in a van equipped with a mattress and attempted to meet both children. A jury convicted Chin, and he was sentenced to thirty-seven years in prison in April 2025.[195]

201. Daniel Phillip Beckman used Snapchat to purchase sexual images from West Virginia children while living in Missouri. He admitted paying one girl approximately $625 through Cash App for numerous nude images and sexually explicit videos sent through Snapchat. When that child introduced him to another girl, he began paying the second child for images as well and told her how to pose. Beckman admitted that he believed both girls were minors. He was sentenced to ten years in prison in February 2024. Snapchat supplied the private channel through which he made the requests and received the resulting material.[196]

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[194] U.S. Attorney's Office, Southern District of West Virginia, *Former Pinch Elementary Counselor Sentenced to 25 Years in Prison for Child Exploitation Crimes* (Dec. 19, 2022), https://perma.cc/TT69-23L9.

[195] U.S. Attorney's Office, *Southern District of West Virginia, Registered Sex Offender Sentenced to 37 Years in Prison for Child Exploitation Crimes* (Apr. 28, 2025), https://perma.cc/U6AX-TD4N.

[196] U.S. Attorney's Office, Southern District of West Virginia, *Missouri Man Sentenced to 10 Years in Prison for Child Pornography Crime* (Feb. 6, 2024), https://perma.cc/63WQ-4BF6.

202. In Beckley, Douglas Patrick Humphrey used Snapchat to ask a fifteen-year-old girl to send him a video of herself having sex with another man. He admitted receiving such a video after an earlier request. He also arranged to meet the child for sexual activity and was arrested when he arrived at the agreed location. At sentencing, the court described Humphrey as a serial sexual predator who had caused "astounding" harm. Humphrey received a thirty-year prison sentence.[197]

203. Other cases show that a child's belief that a Snapchat image will disappear does not prevent a predator from keeping it. Christopher Charles Hirst admitted repeatedly asking a fourteen-year-old Putnam County girl for sexually explicit photographs through Snapchat and preserving the images without her knowledge. He also admitted taking sexual images of the child in person.[198] Gregory Neal Hager, a former Boone County Commission employee and volunteer firefighter, admitted that 146 images and six videos found on an external hard drive were screen captures from Snapchat conversations with a minor. The child was interested in joining the fire department where Hager volunteered. He was sentenced to seven years and three months in prison in May 2026.[199]

204. Some adults that used Snapchat to exploit West Virginia children lived states away, and sometimes never met the victims in person. Marcus Moreno, of Texas, communicated with a 15-year-old Berkeley County girl through Snapchat, Kik, WhatsApp, and her school email accounts. Investigators recovered numerous messages, chats, video communications, and sexual

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197 U.S. Attorney's Office, Southern District of West Virginia, *Beckley Man Sentenced to 30 Years in Federal Prison for Child Pornography Offense* (Sept. 10, 2021), https://perma.cc/7YW9-TA96.

198 U.S. Attorney's Office, Southern District of West Virginia, *Putnam County Man Sentenced to 10 Years in Federal Prison for Child Pornography Offense* (Jun. 10, 2020), https://perma.cc/58SZ-XYCQ.

199 U.S. Attorney's Office, Southern District of West Virginia, *Former Boone County Commission Employee Sentenced to Prison for Child Pornography Crime* (May 27, 2026), https://perma.cc/4BMQ-U2R4.

images of the child victim, including thousands of graphic files and videos of the child that Moreno had stored on flash drives and other devices. Moreno was sentenced to seven years in prison in May 2022.[200]

205. The platform was also used to distribute and trade images of abuse. Point Pleasant resident Matthew Ryan Harper admitted using Snapchat to distribute sexual videos of a prepubescent girl and communicating through Snapchat and an online chat website about obtaining and trading child sexual abuse material. Some of the explicit images Harper possessed depicted toddlers. He was sentenced to six years in prison.[201] Griffithsville resident Dana Michael Russell, already a registered sex offender, admitted distributing child sexual abuse material through multiple Snapchat and Facebook accounts in 2020. He was sentenced to twelve years in prison in July 2023.[202] These communications gave offenders access not only to children but to other people willing to collect and circulate the resulting abuse.

206. In Parkersburg, Robert Patrick Garcia was sentenced to fourteen to forty years in prison for solicitation of a minor through online platforms and distribution of sexual material. Snapchat was one of Garcia's preferred platforms to carry out his conduct. Investigators discovered that Garcia discussed sexual activity with someone he believed to be fifteen and sent numerous explicit images of himself.[203]

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[200] U.S. Attorney's Office, Northern District of West Virginia, *Texas Man Sentenced for Sending Obscene Material to a Minor* (May 9, 2022, updated May 10, 2022), https://perma.cc/3EDD-CYRN.

[201] U.S. Attorney's Office, Southern District of West Virginia, *Mason County Man Sentenced to Prison for Child Pornography Crime* (Feb. 27, 2023), https://perma.cc/S3GJ-PCAT.

[202] U.S. Attorney's Office, Southern District of West Virginia, *Convicted Sex Offender Sentenced to 12 Years in Prison for Child Pornography Crime* (July 20, 2023), https://perma.cc/AWM4-C4QY .

[203] Megan Marshall, *Parkersburg Man Sentenced for Soliciting a Minor Online*, WTA (Feb. 20, 2025), https://perma.cc/VA4N-F44M.

207. Children below Snapchat's stated minimum age have also been reached through the platform. In 2021, West Virginia State Police reported an investigation involving a nine-year-old Randolph County child who met Brent Nikota Bittner on another online chat platform before the communications moved to Snapchat. According to the police account reported by WDTV, investigators found sexual images of the child on Bittner's devices, and Bittner admitted using Snapchat to solicit the material.[204]

208. For twelve-year-old Cimarron Thomas of West Virginia, Snapchat contact ended in death. Alexander McCartney, a resident of the United Kingdom, contacted her through Snapchat using a girl's profile in May 2018. Within fifteen minutes, he had obtained sexual material and threatened to expose it unless she obeyed him. He kept her online for almost two hours.[205]

209. McCartney then told Cimarron that she could block him and that he would delete her images. Two nights later, he returned under another profile, demanded more material, and threatened exposure when she refused to involve her younger sister. The renewed communication lasted thirty-three minutes. Cimarron's nine-year-old sister found her after she had taken her own life.[206]

210. Cimarron was not McCarney's only victim—he used Snapchat and other online platforms from his home in Northern Ireland to exploit girls in multiple countries around the world. Falsely presenting himself online as a young girl, McCartney obtained explicit content

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[204] WDTV News Staff, *18-Year-Old Faces Child Pornography Charges After Soliciting Images from 9-Year-Old* (May 28, 2021), https://perma.cc/9WMG-N3AJ.

[205] The King v. Alexander McCartney, NICC 30, (Crown Ct. N. Ir. Oct. 25, 2024), https://perma.cc/M69M-4YZF.

[206] *Id.*

from his victims using deception, exploited their insecurities, and used threats of exposure to demand additional sexual acts. McCartney pleaded guilty to manslaughter and numerous other offenses and received a life sentence with a twenty-year minimum term.[207]

iii. Snapchat's Disappearing Messages Conceal Abuse and Erase Evidence

211. Snapchat's hallmark ephemeral messages—content that disappears shortly after it is posted or viewed—can give children a false sense of security about what they share. A child may send an intimate image believing it will disappear, while the person receiving it secretly saves a permanent copy. That image can become a weapon, used to threaten exposure and force the child to send more explicit material or comply with other demands. Meanwhile, Snapchat erases the threats, requests, and surrounding conversations that could expose the abuse. Ephemerality thus works in the abuser's favor twice: it can lower a child's reluctance to share intimate content and then destroy evidence needed to hold the abuser accountable.

212. Snapchat's disappearing messages leave parents trying to protect their children without being able to see the communications that put them at risk. Snapchat heard that concern directly. A July 2023 report prepared for the company, based on twelve focus groups with U.S. and U.K. parents, identified disappearing messages as the feature parents feared most and associated most strongly with Snapchat. Parents described how the feature encouraged children to exchange sexual content and communicate with strangers while making those exchanges harder to supervise. Their concern went beyond what children might send: Snapchat could erase the conversation before a parent learned there was a problem.[208]

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[207] *Id.*

[208] SNAP0019094.

213. Parents therefore asked Snapchat to preserve messages on its servers and make that evidence available through better reporting. Some explained that even thirty days would be insufficient because children may take longer to disclose abuse. They wanted changes to the product that would help prevent harm and preserve evidence when harm occurred.[209] Those requests addressed a basic problem with Snapchat's design: a frightened or ashamed child may remain silent while the evidence needed to identify the abuser and establish what happened disappears.

214. Snapchat already knew that its systems could leave investigators without that evidence. Snap's June 2022 grooming summary identified gaps in its ability to investigate and report grooming through text messages, describing retained chat content as sparse and acknowledged that investigative "preservations do not include chats." As the summary explained, investigators could therefore miss grooming when an otherwise innocuous image was accompanied by text revealing the abuse: the preserved image would not tell the story, and the accompanying messages would be unavailable. Even if chats were preserved, Snapchat faced another barrier to reporting the abuse to the National Center for Missing and Exploited Children ("NCMEC"), a private nonprofit organization that Congress designated as the national clearinghouse for information about these cases. Snapchat's internal reporting software was designed to require an attached image or video for those reports, making it impossible to submit a report based on text messages alone.[210]

215. A West Virginia prosecution shows why access to those records matters. Several hours after federal investigators searched former school counselor Todd Christopher Roatsey's

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[209] *Id.*

[210] SNAP5288465.

home in October 2021, he deleted the Snapchat account he had used to communicate with children. The U.S. Attorney's Office stated that the deletion obstructed justice by making Snapchat records inaccessible to law enforcement and unavailable for a later federal prosecution. The loss of account records thus deprived investigators of evidence concerning an adult who had used Snapchat to exploit children, including a student at the school where he worked.[211]

216. The danger extends beyond individual prosecutions. Thorn and NCMEC's June 2024 report found that Snapchat was the most common destination when sextortion communications moved between services, appearing in 35.8% of 869 reports identifying a secondary platform. Snapchat was also a leading platform used by predators to initiate contact with victims, identified in 31.6% of the 576 reports that specified where initial contact occurred.[212] Researchers discussed disappearing messages as a possible reason for Snapchat's use in exchanging sexual images and found that its CyberTip reports historically often lacked chat logs, although later reports began including short excerpts.[213] These findings underscore why the parents' concerns matter: children can be drawn into sexual exploitation on Snapchat while the communications needed to uncover the abuse and pursue the person responsible are missing.

217. Snapchat fails to tell parents that even reported sexual or grooming content can disappear before the company reviews it, and that its failure to retain chats can leave reports of abuse unexamined and erase evidence needed to hold abusers accountable. Snapchat's own

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[211] *See, e.g.*, U.S. Attorney's Office, Southern District of West Virginia, *Former Pinch Elementary Counselor Sentenced to 25 Years in Prison for Child Exploitation Crimes* (Dec. 19, 2022), https://perma.cc/TT69-23L9.

[212] Thorn & National Center for Missing & Exploited Children, *Trends in Financial Sextortion: An Investigation of Sextortion Reports in NCMEC CyberTipline Data* (June 2024), https://perma.cc/XHG5-S35U.

[213] *Id.*

documents show that reporting sexual content did not ensure that the company would examine it before it disappeared. An internal document from April 2021 recorded more than six million sexual-content flags submitted reactively, meaning after a user reported content or an account. Forty-six percent expired before review.[214]

218. The results were worse for sexual content Snapchat identified proactively. Of 2,459,057 detections, 86.3%—approximately 2.1 million—were not reviewed before the media expired. Even more alarming, during the second half of 2020, 100% of trafficking content flagged by the platform's proactive systems expired before review.[215] The problem was therefore not limited to abuse that escaped detection altogether. Snapchat could receive a warning from a user, or identify material itself, and still lose the opportunity to review it.

219. As late as 2022, Snapchat's reporting process could leave a child's report of threats or exploitation entirely unexamined. The company acknowledged internally that 96.7% of account reports did not lead to review. Instead, Snapchat prompted users to block the person they had reported.[216] Moreover, there was no ability to report an account independent of particular content, leaving a child who later recognized that someone had been grooming them without a way to report that account if the messages had already disappeared.[217] Even reporting particular content required users to navigate multiple menus that no longer reflected Snapchat's own policies. The company recognized the "substantial risk incurred from not reviewing account

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[214] SNAP4783863.

[215] *Id.*

[216] SNAP2202520.

[217] Deposition of Matthew Jackson at 151:15-18 (Nov. 19, 2024) (*In re Social Media Adolescent Addiction/Personal Injury Products Liability Litigation*, No. 4:22-md-03047-YGR (N.D. Cal.)).

reports," yet described requirements to make abuse easily reportable as "compliance headwinds."[218]

220. Snapchat's failure to detect abuse in private conversations also reflected a deliberate design choice. The company acknowledged that it had deliberately limited its ability to detect abuse in private conversations to preserve the platform's emphasis on privacy: "we have not built ways to look at people's private conversations even for our operations teams."[219] Those technical limits were compounded by a safety team stretched too thin to respond quickly to unexpected demands and gaps in coverage that left it short of the continuous review Snapchat publicly promised.[220] Snapchat had built a platform where adults could communicate privately with children without building the tools its own safety personnel needed to examine those conversations for abuse.

221. Snapchat knew what that choice meant for children. The company acknowledged that most grooming occurred in chat, where it did not measure how much grooming was taking place. It also knew that psychological manipulation could prevent victims from recognizing or reporting the abuse. Nevertheless, Snapchat left detection dependent on reports that children might be unable to make, while failing to build the tools needed to uncover the conduct itself. Its own summary captured the all-too predictable result: predators felt confident because Snapchat

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[218] *Id.* at 152:1–5, 154:4–11.

[219] SNAP5288465.

[220] SNAP0419215; Testimony of Jennifer Stout, Vice President of Global Public Policy, Snap Inc., *Protecting Kids Online: Snapchat, TikTok, and YouTube*, Hearing Before the Subcommittee on Consumer Protection, Product Safety, and Data Security of the Senate Committee on Commerce, Science, and Transportation, 117th Cong. (Oct. 26, 2021) (written response to Question 4 from Sen. Richard Blumenthal).

had "not gone looking for them to date."[221] Snapchat failed to disclose these reporting failures to parents.

iv. Organized Exploitation on Snapchat

222. Snapchat's reporting failures also undermined its response to groups that used the platform to trade child sexual abuse material. The company knew its group chat features were being used to organize these exchanges. For example, its own review captured a post advertising a nude-trading group for thirteen- to fifteen-year-olds and asking viewers to "shout me out to be added"—using other users to spread the invitation and recruit participants. The company also identified "groupsunder14," a dedicated account creating group chats to exchange nude images involving children under fourteen.[222] Snapchat deleted the Snap advertising the thirteen-to-fifteen-year-old trading group but did not report the person responsible to NCMEC.[223]

223. Highly coordinated, organized groups also took advantage of children on Snapchat. By September 2023, federal law enforcement was publicly warning about organized groups using messaging services to coerce children into sexual abuse, self-harm, and suicide. The FBI described threats to expose sexual images, reveal personal information, or send police to a victim's home through a false emergency report. Members circulated recordings of the abuse and used them to maintain control. Some sought to force children to livestream their deaths to gain status within the group.

224. Organized networks also use Snapchat to find children and obtain material that can be used to control and exploit them. Among those networks is "764," an international online

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[221] *Id.*

[222] SNAP5288465.

[223] *Id.*

sextortion network that specifically targets children as young as nine on social media.[224] The 764 network emerged from the broader "Com" network, an overlapping ecosystem of online groups engaged in cybercrime, extortion, and exploitation.[225] 764's organization includes leaders who recruit members, enforce rules, distribute instructions for grooming and extortion, and even demand recordings of abuse as a condition of membership or advancement. Members circulate children's sexual images and recordings of violence, archive them in shared collections, and use them to recruit others and gain standing within the network. The abuse of children supplies both the material the network exchanges and the means its members use to establish or enhance their status.[226]

225. Research by the Institute for Strategic Dialogue ("ISD") identifies Snapchat as a principal starting point for this exploitation. ISD reports that these extortionists "generally first seek out victims on either Snapchat or Instagram" to obtain sexual images that can become the basis for coercion.[227] Drawing on instructional guides circulated within the network and its research into members' online activity, ISD found that members share detailed methods for identifying, grooming, and extorting victims. Those instructions specifically address Snapchat: members are advised to create "bespoke" sham accounts tailored to the age and gender of the

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[224] Federal Bureau of Investigation, *Violent Online Networks Target Vulnerable and Underage Populations Across the United States and Around the Globe*, Alert No. I-030625-PSA (Mar. 6, 2025), https://perma.cc/M6CU-V62G.

[225] Marc-André Argentino & Peter Smith, *Understanding the Relationship Between 764 and the Com Network*, From the Depths (Nov. 28, 2025), https://perma.cc/B8YD-ASBB.

[226] Affidavit in Support of a Criminal Complaint and Arrest Warrant ¶¶ 5–7, 11–12, 20–29, *United States v. Nepal & Varagiannis*, No. 1:25-mj-00061-ZMF (D.D.C. Apr. 15, 2025), ECF No. 1-1.

[227] Institute for Strategic Dialogue, *Networks of Harm: A Victim-Centric Information Resource on the 764 Sextortion Network* at 5, 15 (2025), https://perma.cc/N3J8-FHNY.

children they seek to target, exploiting the platform's account recommendations to identify potential victims.[228]

226. Members then approach users on Snapchat through mass requests for sexual images or cultivate an individual child's trust before requesting them. The instructional guides also encourage impersonation using the likenesses of attractive TikTok personalities. Once members obtain sexual images, they gather personal information about the child and prepare to turn the apparent friendship into an extortion demand. Snapchat's tools for discovering and contacting other users thus supply a means of finding children and obtaining material to blackmail them.[229]

227. The exploitation can continue across multiple platforms and involve multiple abusers. ISD describes how 764 members share potential victims' usernames and identities in private Telegram chats to coordinate their exploitation, circulating conversations with victims to demonstrate their activity, and broadcasting child sexual abuse material they obtain to increase their notoriety. The guides instruct members to establish obedience through less extreme demands before gradually escalating the abuse. They also recommend keeping victims constantly occupied with tasks and offering false hope to maintain control and prevent reports to law enforcement. A child initially approached on Snapchat can become the target of a network whose members share information, methods, and recordings to prolong the exploitation.[230]

228. The network's demands can extend far beyond obtaining sexual images. The FBI has warned that 764 and related groups use threats to expose children's images, publish their

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[228] *Id.* at 15.

[229] *Id.* at 15-16.

[230] *Id.* at 8, 15-16.

personal information, or send armed police to their homes through false emergency reports. Members exploit apparent friendships or romantic relationships to isolate children and coerce increasingly harmful conduct. Recordings of sexual abuse, self-harm, and violence are then circulated among members and used to impose further demands. Some members seek to force children to livestream their own deaths for the perpetrators' entertainment or status within the network.[231]

229. A completed prosecution involving a member of the broader "Com" network illustrates how abuse escalated through Snapchat. A seventeen-year-old girl described meeting Justin Swaddle, a United Kingdom citizen, on Discord before moving to Snapchat, where he requested nude images and told her to carve his username into her body. Swaddle obtained her real name, address, and school information, recorded sexual calls, and shared recordings with a group. He then threatened to use her identifying information to obtain more images and videos. Swaddle's conduct was eventually exposed, and investigators disclosed that Swaddle had victimized 117 victims aged thirteen to seventeen, including victims in the United States. Swaddle pleaded guilty to child sexual abuse offenses and blackmail.[232]

230. Prosecutions of 764 members also establish how they work together to produce increasingly extreme recordings of children's abuse. Alexis Aldair Chavez, a leader of the 764-related 8884 network, pleaded guilty to racketeering and child-exploitation offenses. Chavez and another participant recorded a child's attempted overdose to obtain material that would increase their standing within the network. He worked with others to coerce victims into cutting

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[231] Federal Bureau of Investigation, *Violent Online Networks Target Vulnerable and Underage Populations Across the United States and Around the Globe*, Alert No. I-030625-PSA (Mar. 6, 2025), https://perma.cc/M6CU-V62G.

[232] National Crime Agency, *Com Group Member Sentenced for Campaign of Abuse Against 117 Victims Worldwide* (Aug. 10, 2026), https://perma.cc/UWH5-5GAS.

themselves, burning an arm, and torturing and killing an animal on video. In another instance, Chavez and a child he had victimized worked together to coerce another person into sexual acts and self-harm.[233] The exploitation could thus draw a child into helping victimize someone else, extending the network's reach while producing still more abusive material for its members.

231. 764 members have reached West Virginia children through Snapchat. According to Bryce Tate's father, the abuser who targeted his fifteen-year-old son was a member of 764.

232. Bryce's experience illustrates the stakes of Snapchat's failures: an account posing as a teenage girl became a channel for relentless threats against a child. Snapchat could have warned Bryce, his parents, and the public about how predators impersonate peers, obtain intimate images, and turn those images into threats—and that a child facing those threats needs immediate help, not secrecy or compliance. It could have strengthened safeguards against predatory accounts contacting children, provided an urgent reporting process that did not depend on preserving disappearing messages, and adequately staffed investigations to identify and disrupt networks of abusers. Those protections could have created opportunities to recognize the danger and interrupt the exploitation. Instead, Bryce was blindsided by a predator bent on controlling and exploiting him. Within hours, Bryce was dead. Snapchat promised safety. Those promises did not protect Bryce.

H. Snapchat's Conduct Violates West Virginia Law

i. Snapchat's Misrepresentations Affect Families' Decisions

233. Snapchat's representations and acts are particularly important to parents and other Snapchat users because once a Snapchat user sees harmful content on the app, it cannot be

[233] U.S. Department of Justice, Office of Public Affairs, *'764' Extremist Group Leader Pleads Guilty to RICO, Child Exploitation Charges* (Dec. 19, 2025), https://perma.cc/6N6L-UE6E.

"unseen." Similarly, once a young person experiences a harmful or dangerous feature or interaction, the effects can be long-lasting.

234. Snapchat knows that parents care about what their teens will be exposed to on Snapchat. Parents check the age rating of apps and associated content descriptors before allowing their children to download and use them. Parents may supervise their children's devices to see which apps their children are downloading or use parental controls to prevent their children from downloading apps with particular age ratings. Snapchat's misrepresentations seek to prevent parents who are unfamiliar with the mature content Snapchat hosts and platform features that encourage harmful compulsive use from developing such concerns. They seek to convince parents that Snapchat is safe for their children so they will permit their children to use the app.

235. Consumers, particularly parents, care whether Snapchat encourages harmful compulsive use, exposes children to content and interactions that can worsen mental health concerns, and whether the platform has effective parental controls. They also care whether strangers can find and contact their children through Snapchat, what safeguards protect against grooming and exploitation, whether children's conversations with My AI remain private, what personal information Snapchat shares with other companies, and who can access their location. Parents also care whether Snapchat can accurately identify children and distinguish them from adults, particularly when the company represents that age-specific restrictions and parental oversight are available to protect child users. Families rely on Snapchat's representations when deciding whether and how their children may use the platform. Snapchat's misleading statements and omissions deprive families of the information they need to make informed choices about their children's safety and privacy.

ii. Snapchat's Unfair or Deceptive Acts or Practices

236. Snapchat has committed numerous violations of the West Virginia Consumer Credit and Protection Act through the design and operation of its platform, and additional violations will become known as discovery progresses. The following conduct is included among the company's many violations:

237. Snapchat engaged in unfair or deceptive acts or practices in each instance where it misrepresented that Snapchat was appropriate for West Virginia children as young as twelve or thirteen through ratings displayed in app stores. Snapchat falsely described sexual content, profanity, mature themes, and drug and alcohol content as infrequent or mild. The company knew that children could readily encounter frequent and graphic mature content, including content that Snapchat itself recommended.

238. Snapchat engaged in unfair or deceptive acts or practices in each instance where it represented that its Community Guidelines protected West Virginia children from prohibited content and conduct, including in private communications, while simultaneously allowing sexual content, bullying, harassment, hate speech, threats, drug activity, and content promoting eating disorders, self-harm, or suicide to remain available or to be recommended to children.

239. Snapchat engaged in unfair or deceptive acts or practices in each instance where it misrepresented the effectiveness of its moderation system and the speed and reliability of its response to reports. Snapchat presented harmful content as uncommon and its enforcement as prompt while withholding that a substantial amount of flagged or reported content expired without review.

240. Snapchat engaged in unfair or deceptive acts or practices in each instance where it misrepresented the safeguards applied before content and Lenses became available to West

Virginia children. Snapchat portrayed public content as curated and vetted and claimed that Lenses received review before appearing in the carousel, while its internal records identified content receiving no proactive review, only partial review of some Snap Map collections, reactive review of publishers' content, and Lenses made available before review.

241. Snapchat engaged in unfair or deceptive acts or practices in each instance where it represented that My AI incorporated meaningful safety protections and accounted for a child's age while failing to disclose known limitations in those protections. Snapchat made the chatbot available to children despite evidence that it supplied advice about concealing substance use and treated sexual contact between a child and an adult as an occasion to make romantic. Its assurances gave families a misleading impression that the chatbot would recognize and protect children from those dangers.

242. Snapchat engaged in unfair or deceptive acts or practices in each instance where it charged Snapchat+ subscribers for early access to My AI without clearly informing them that their use would help Snapchat discover and fix safety failures through subscribers' own experiences with the chatbot. Paying subscribers could reasonably expect that basic protections against dangerous responses had already been tested. Snapchat instead used their interactions to improve the chatbot before its broader release, leaving children and parents unaware of the role those subscribers were playing in testing its safety.

243. Snapchat engaged in unfair or deceptive acts or practices in each instance where it used My AI's name, avatar, placement among conversations with human friends, and other features to encourage children to treat the chatbot as a trusted companion while disclaiming that trust when explaining its unsafe advice and treatment of conversation histories. Snapchat encouraged personal exchanges through the appearance of friendship, then claimed that My AI

was not a real friend to explain why those exchanges were retained and used differently. Those competing messages misled consumers about the relationship Snapchat encouraged children to form and what happened to the information they shared.

244. Snapchat engaged in unfair or deceptive acts or practices in each instance where it gave children and parents a misleading impression of their control over My AI's access to location information. Snapchat promoted Ghost Mode as concealing location from friends and described Snap Map location sharing as off by default without explaining that My AI could still receive location information when the app had device permission. Snapchat also failed to explain that users could not allow the app to use their location for other purposes while withholding it from My AI, and that revoking permission did not itself clear previously retained My AI location information.

245. Snapchat engaged in unfair or deceptive acts or practices in each instance where its privacy assurances gave consumers reason to believe that conversations with My AI were protected from sharing with service providers while Snapchat transmitted those communications to OpenAI for processing. Snapchat encouraged children to confide in My AI as a friend but did not clearly explain where those conversations fell within its distinction between private communications and public content. Its separate statements about sharing My AI information left consumers to piece together who received their information and how it was used, including the separate transmission of conversation content and other information to Microsoft Advertising to select advertisements.

246. Snapchat engaged in unfair or deceptive acts or practices in each instance where it promoted Family Center as meaningful protection for children while withholding limitations it deliberately built into the feature. Snapchat restricted parental authority, made the feature

difficult to find because of concerns about teen engagement, and conditioned access on the child's cooperation. These choices also limited parents' ability to restrict My AI. Snapchat presented Family Center as evidence of its commitment to child safety while leaving parents without the oversight and control its safety messaging led them to expect.

247. Snapchat engaged in unfair or deceptive acts or practices in each instance where it promoted Family Center as protection for children while deliberately withholding information parents needed to activate it. Snapchat knew that children who registered with an adult age could not participate, yet chose not to notify parents that an invitation had been rejected or explain why. That silence prevented parents from identifying an inaccurate age as the obstacle and addressing it with their child, leaving them unable to obtain the protections Snapchat advertised.

248. Snapchat engaged in unfair or deceptive acts or practices in each instance where it targeted children, including children in West Virginia, for increased engagement despite knowing that its features could encourage compulsive use, create stress and obligation, and make disengaging difficult. Snapchat tracked teenagers' participation in Streaks and other engagement measures and pursued increased use while withholding the known risks from children and parents.

249. Snapchat engaged in unfair or deceptive acts or practices in each instance where it designed and operated manipulative features to prolong children's use and repeatedly draw them back, including personalized recommendations, endless scrolling, automatic playback, ephemeral content, social rewards, Streaks, and push notifications. Snapchat used those features to remove natural stopping points and create pressure to return despite knowing that prolonged and compulsive use could displace sleep, schoolwork, physical activity, relationships, and other essential activities.

250. Snapchat engaged in unfair or deceptive acts or practices in each instance where it maintained Streaks despite recognizing that the feature gamified friendships, encouraged unhealthy daily use, and made users anxious about losing a running count. Snapchat then monetized the attachment and fear of loss it had helped create by charging users to restore expired Streaks and treating longer Streaks as opportunities to collect more money, without disclosing the known risks to children and parents.

251. Snapchat engaged in unfair or deceptive acts or practices in each instance where it used Snapscore to reward increased activity while withholding known risks associated with that design. Snapchat encouraged users to pursue higher scores despite knowing that users added strangers to increase their scores and Story views. Those incentives gave children a reason to expand their contacts beyond people they knew, undermining Snapchat's portrayal of the platform as a place for communicating with trusted friends and creating opportunities for unwanted or predatory contact.

252. Snapchat engaged in unfair or deceptive acts or practices in each instance where it used Friend Solar System to turn communication frequency into a measure of perceived friendship status despite recognizing that the comparison could worsen users' insecurities. This feature encouraged users to interact more often to improve or preserve their position among a friend's closest contacts. Snapchat continued offering that incentive while promoting the platform as supporting children's friendships and wellbeing.

253. Snapchat engaged in unfair or deceptive acts or practices in each instance where it used notifications to interrupt and draw children back to Snapchat despite knowing that child users disabled notifications in order to sleep, concentrate on school or work, or spend time with other people. Snapchat continued sending notifications to children during school hours and

throughout the night while withholding these known concerns and planned repeated prompts to persuade users to reenable notifications they had deliberately turned off.

254. Snapchat engaged in unfair or deceptive acts or practices in each instance where it made disengagement more difficult by postponing an account deletion option within the Android app despite continued complaints from users unable to find a way to delete their accounts there. Instead, Snapchat prioritized efforts to bring users back to the platform and failed to disclose how its growth objectives shaped the choices available to users seeking to leave.

255. Snapchat engaged in unfair or deceptive acts or practices in each instance where it continued promoting appearance-altering Lenses to children without disclosing known risks to body image and mental health. Snapchat knew that the harm associated with its Lenses feature had become widely known as "Snapchat dysmorphia." The company's own research showed that users, including child users, relied on Lenses to hide natural features they considered unattractive and felt bad about their unaltered appearance.

256. Snapchat engaged in unfair or deceptive acts or practices in each instance where it operated recommendation systems that could repeatedly direct vulnerable children toward content that reinforced disordered eating, extreme thinness, negative body image, self-harm, or suicide while simultaneously representing that its rules protected children from such material. Snapchat failed to disclose that a child's interaction with harmful content could lead the platform to deliver more of the same and could intensify the danger to a child already struggling with those issues.

257. Snapchat engaged in unfair or deceptive acts or practices in each instance where it misrepresented Snapchat as a safe place for people who already knew and trusted one another while its account recommendations, Search, private messaging, and group chats gave adult

strangers and organized exploitation networks ways to find, contact, groom, and exploit children. Snapchat failed to disclose the risks created by those features despite knowing that adults used the platform to obtain children's sexual images, threaten them, and organize exchanges of child sexual abuse material.

258. Snapchat engaged in unfair or deceptive acts or practices in each instance where it promoted disappearing or ephemeral communications as a privacy feature while failing to disclose that the disappearance of those communications could conceal grooming, sexual exploitation, threats, and coercion, and prevent the preservation of evidence needed to investigate abuse of child users. Snapchat knew that parents were concerned about disappearing messages, that children might not disclose abuse until after the messages had disappeared, and that its disappearing communications could leave parents and investigators without evidence of what had occurred.

259. Snapchat engaged in unfair or deceptive acts or practices in each instance where it represented that reported content, even though ephemeral, could be retained and reviewed while also allowing substantial amounts of flagged or reported sexual content, harassment, threats, and other potentially harmful material to expire before review. Snapchat failed to tell parents and children that submitting a report, or even Snapchat's own detection of potentially harmful content, did not ensure that anyone would examine it before it disappeared.

260. Snapchat engaged in unfair or deceptive acts or practices in each instance where it failed to provide users with a means of reporting accounts engaged in grooming, harassment, threats, or other abusive conduct independent of reporting specific content. Snapchat knew that its reporting system left abusive accounts unreported or unreviewed, particularly when the

messages establishing the abuse had already disappeared, yet failed to disclose these limitations to children and parents.

261. Snapchat engaged in unfair or deceptive acts or practices in each instance where it failed to disclose significant limitations in its ability to preserve and report evidence of child sexual exploitation. Snapchat's investigative preservation process did not include chats, leaving little conversation history available to investigators seeking to establish how children were groomed, threatened, or coerced. Snapchat designed its systems to require an image or video to submit a CyberTip to the National Center for Missing & Exploited Children, preventing its internal reporting system from submitting reports based solely on text communications, even when those communications revealed sexual exploitation. Snapchat failed to disclose these limitations to children and parents despite its public representations that it protected users in private communications and reported identified child sexual exploitation to the appropriate authorities.

262. Snapchat engaged in unfair or deceptive acts or practices in each instance where it left detection of grooming dependent on children's reports while deliberately limiting its own ability to examine private conversations for abuse. Snapchat knew that most grooming occurred in Chat and that manipulation could prevent children from recognizing or reporting it, yet acknowledged that it had not built ways for its operations teams to examine private conversations and that predators felt confident because the company had not gone looking for them.

263. Snapchat engaged in unfair or deceptive acts or practices in each instance where it represented that it reported identified child sexual exploitation and attempts to engage in that conduct to appropriate authorities while failing to report identified conduct to NCMEC, including the person responsible for a post recruiting participation in a nude-trading group

involving children ages thirteen to fifteen. Removing the post did not fulfill the protection Snapchat's representations promised.

264. Snapchat engaged in unfair or deceptive acts or practices in each instance where it misrepresented the resources and coverage devoted to child safety, including by representing that its Trust & Safety team worked around the clock while its own records identified gaps in that coverage and a team unable to respond quickly to unexpected demands. Snapchat failed to disclose that its staffing constrained its ability to investigate and disrupt networks of abusers. Snapchat engaged in unfair or deceptive acts or practices in each instance where it prioritized engagement, growth, revenue, and reputation over child safety while concealing those choices from West Virginia consumers. Snapchat resisted changes to Streaks and beautification because of their importance to usage, postponed making account deletion easier while pursuing returning users, and continued promoting the platform to children and parents without disclosing the dangers and operational failures that undermined its assurances.

V. CAUSE OF ACTION

COUNT I
Violations of the West Virginia Consumer Credit and Protection Act

265. The State restates and realleges allegations contained in paragraphs numbered 1 through 264 as if each were fully set forth herein its entirety.

266. West Virginia Code § 46A-6-102(6) defines "trade" or "commerce" to mean the "advertising, offering for sale, sale or distribution of any goods or services and shall include any trade or commerce, directly or indirectly, affecting the people of this state."

267. Snapchat engaged and continues to engage in trade and commerce in the State of West Virginia by, among other acts, marketing and offering in exchange for valuable

consideration its social media platform to West Virginia consumers and hosting and profiting from advertisements on its platform.

268. "Unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce" are unlawful. W. Va. Code § 46A-6-104.

269. A non-inclusive list of unfair methods of competition and unfair or deceptive acts or practices is set forth in W. Va. Code § 46A-6-102(7).

270. Snapchat's statements, omissions, actions, and inactions, as detailed above, constitute unfair or deceptive acts or practices prohibited by the WVCCPA. These include, but are not limited to, the following:

a. Misrepresenting the age appropriateness of Snapchat through app store ratings;

b. Misrepresenting that its Community Guidelines protected children from prohibited content and conduct;

c. Failing to use age-inference technologies employed for targeted advertising to identify underage users, despite knowing that children could register with false birth dates;

d. Declining to implement stronger age assurance measures out of concern that doing so would reduce user growth and, ultimately, negatively impact revenue;

e. Misrepresenting the effectiveness of moderation and the speed and reliability of its response to reports;

f. Misrepresenting the safeguards applied before public content and Lenses became available to children;

g. Using Snapscore to reward increased activity while concealing that its incentives encouraged users to add strangers and exposed children to unwanted contact;

h. Using Friend Solar System to encourage increased interaction despite recognizing that its friendship comparisons could worsen users' insecurities;

i. Misrepresenting My AI's safety protections and ability to account for a child's age despite known failures to recognize danger and avoid harmful guidance;

j. Encouraging consumers, including children, to trust and confide in My AI as a friend while disclaiming that relationship when explaining its unsafe advice and retention and use of conversations;

k. Misleading consumers, children, and parents about My AI's access to location information, including by failing to explain that Ghost Mode did not prevent that access;

l. Giving consumers the misleading impression that private conversations with My AI were protected from sharing with other companies while transmitting communications to OpenAI for processing and conversation content to Microsoft Advertising to select advertisements;

m. Failing to clearly identify Microsoft Advertising as a recipient of My AI conversation content and other personal information or explain the information shared for advertising;

n. Charging Snapchat+ subscribers for early access to My AI without clearly informing them that their interactions would help identify and correct safety failures they could reasonably expect had already been addressed;

o. Promoting Family Center while choosing not to notify parents that enrollment had failed and that a child's inaccurate account age could prevent access to Family Center;

p. Misrepresenting the protection and control provided by Family Center;

q. Targeting children for increased engagement despite knowing the risks of compulsive use;

r. Using manipulative features to prolong children's use and repeatedly draw them back;

s. Maintaining and monetizing Streaks despite knowing the stress and pressure the feature created;

t. Using notifications to compete with sleep, school, and relationships while withholding the known risks;

u. Making disengagement more difficult while prioritizing efforts to bring users back;

v. Promoting appearance-altering Lenses to children while concealing known risks to body image and mental health;

w. Repeatedly recommending harmful content to vulnerable children while failing to disclose the risks;

x. Making children visible and accessible to abusers while misrepresenting the platform's safety;

y. Promoting disappearing communications while concealing their consequences for identifying and proving abuse;

z. Representing that reported content could be retained and reviewed while allowing it to expire unexamined;

aa. Failing to provide a reliable process for reporting and reviewing abusive accounts while concealing that failure;

bb. Failing to preserve and report evidence of exploitation in text conversations while concealing those limitations;

cc. Leaving detection dependent on children's reports while deliberately limiting the company's ability to examine private conversations for abuse;

dd. Misrepresenting its reporting of identified child sexual exploitation to appropriate authorities;

ee. Misrepresenting safety staffing and its capacity to respond to exploitation and disrupt networks of abusers; and

ff. Prioritizing engagement, growth, revenue, and reputation over child safety while concealing those choices.

271. The acts or practices described herein occurred in the course of trade or commerce as defined by W. Va. Code § 46A-6-102(6).

272. These acts or practices injured the State, consumers in the State, and its most vulnerable citizens: children. Snapchat's actions are a direct and proximate cause of those injuries.

PRAYER FOR RELIEF

The State respectfully requests that the Court render judgment in the State's favor and enter an Order:

a. Finding that the Defendant has violated the WVCCPA by committing unfair or deceptive acts and practices in the course of trade or commerce in violation of W. Va. Code § 46A-6-104, as set forth above;

b. Upon a finding that the Defendant engaged in a course of repeated and willful violations of the WVCCPA, assessing civil penalties of up to $5,000.00 for each violation pursuant to W. Va. Code § 46A-7-111;

c. Requiring the Defendant, pursuant to W. Va. Code § 46A-7-108, to pay restitution of all money and property acquired from West Virginia residents by means of acts or practices declared unlawful by W. Va. Code § 46A-6-104;

d. Requiring the Defendant, pursuant to W. Va. Code § 46A-7-108 and the principles of equity, to disgorge all profits derived from West Virginia by means of acts or practices declared unlawful by W. Va. Code § 46A-6-104;

e. Enjoining the Defendant, its agents, employees, and all other persons acting for or on their behalf, directly or indirectly, from violating the WVCCPA, including prohibiting deceptive representations concerning platform safety;

f. Requiring the Defendant to implement effective age verification and age-appropriate safeguards for child users, including but not limited to parental controls, usage restrictions, crisis-response protocols, child predator detection measures;

g. Requiring the Defendant to clearly, prominently, and timely disclose known or reasonably foreseeable risks of platform use to users, particularly child users;

h. Requiring the Defendant to submit to independent monitoring to ensure compliance with any injunctive relief awarded;

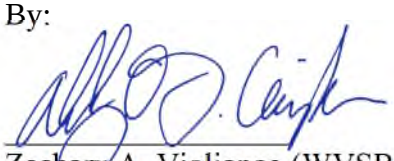
i. Awarding the State its costs, including the reasonable fees of its attorneys and special assistant attorneys general, taxed against Defendant under W. Va. Code §§ 46A-7-108 and 59-2-18 and applicable law, and, its expert-witness and investigation expenses, and pre- and post-judgment interest at

the highest lawful rates, all to be paid by Defendant in addition to, and not from, any other relief awarded; and

j. Granting such other appropriate equitable relief to secure complete justice in this matter.

Respectfully submitted,

JOHN B. MCCUSKEY,
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