

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
TUESDAY, JULY 16, 2024**

MINUTE ORDER NO. 16

SUBJECT: AFFIRMATIVE LITIGATION AGAINST SOCIAL MEDIA COMPANIES FOR THEIR ROLE IN THE YOUTH MENTAL HEALTH CRISIS (DISTRICTS: ALL)

OVERVIEW

In May 2023, the U.S. Surgeon General issued an [advisory](#) warning that social media is contributing to our nation's youth mental health crisis. The American Psychological Association (APA) has since also issued a [health advisory](#) examining the connections between social media use and reduced well-being and rising mood disorders, chiefly depression, and anxiety among youth ages 10 to 25 years old.

According to the [Pew Research Center](#), in 2010, when smartphones were becoming mainstream, only about half of teens reported using social media. Today, social media usage is ubiquitous with 95% of teens reporting they use some social media and about a third reporting they use it constantly. The [APA reports](#) that U.S. teens spend an average of five hours every day using the seven most popular social media apps, with Instagram, TikTok, and YouTube accounting for 87% of their social media time.

Since 2010, nearly every [indicator](#) of mental health and psychological well-being among teens and young adults has deteriorated. [San Diego County's Health and Human Services Health Equity Report \(2022\)](#) confirms this alarming trend with youth ages 15 to 24 years of age having the highest burden of depression compared with all other age groups in the County. These youth are also utilizing inpatient treatment services and visiting emergency rooms at a rate two times higher than any other age group for depression and anxiety.

It is in response to these developments that mental health experts are warning habitual social media use is nearing addiction levels and contributing to the youth mental health crisis.

To date, there have been few meaningful changes by the industry and no adoption of federal or state policies curbing the industry's harm to developing minds. As of June 2024, 475 social media lawsuits are pending in multidistrict litigation in the Northern District of California. And, as many as 41 U.S. states, including California's Attorney General Office, have taken direct legal action against one specific company, Meta Platforms, Inc., to hold them accountable for their negligence in ensuring its platforms are safe for minors. With today's item, the County of San Diego would add its voice to underscore the urgent need to enact new, responsible safety standards on all social media platforms in order to mitigate harm to youth and their mental health.

Today's item directs County legal counsel to explore legal actions that would hold social media companies, including but not limited to, Facebook, Instagram, X, TikTok, and YouTube, accountable for their failure to protect youth mental health and for their purposeful creation of an unreasonably dangerous product that incentivizes addictive behaviors among vulnerable youth.

Just as San Diego County has joined other cities and counties in California to successfully hold opioid painkiller manufacturers and distributors accountable for deceptive marketing and for creating an epidemic of opioid abuse and addiction that killed thousands in San Diego alone, the County should hold social media platforms accountable for their failure to protect vulnerable youth.

RECOMMENDATION(S)

SUPERVISOR TERRA LAWSON-REMER

1. Direct the County Counsel, in consultation with the Chief Administrative Officer, to explore options for initiating, pursuing, and/or joining litigation against social media platforms, including but not limited to Facebook, Instagram, X, TikTok, Snapchat, and YouTube for their failure to protect youth mental health and regularly report back to the Board in an appropriate manner until litigation is filed and, thereafter as necessary.
2. Adopt a resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE SURGEON GENERAL'S CALL FOR WARNING LABELS ON SOCIAL MEDIA PLATFORMS.

EQUITY IMPACT STATEMENT

Studies show that certain subpopulations of youth, including females, LGBTQ+, Black and Latinx young people, are more likely to use social media platforms to combat loneliness and/or as a tool to locate mental health or well-being resources. Some of these same groups are experiencing disproportionate rates of poor mental health and suicidal thoughts and behaviors. Today's actions will ensure that the operators of social media platforms are further directed to take action to minimize the harmful aspects of their platforms and to preserve the well-being of young, vulnerable users.

SUSTAINABILITY IMPACT STATEMENT

Today's actions to hold social media platforms accountable helps to further the County of San Diego's Sustainability Goals through its leadership and advocacy to remediate the current online environment in support of youth mental health. It is imperative that the County of San Diego be a pro-active partner in pushing for social media platforms to take seriously the deleterious impacts the current design of their products are having on the mental health of County residents ages 10 to 25 years of age.

FISCAL IMPACT

Funds for the actions requested in Recommendation 1 are included in the Fiscal Year 2024-25 Operational Plan based on existing staff time in County Counsel funded by General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years. There may be fiscal impacts associated with future related recommendations which staff would return to the Board for consideration and approval.

There is no fiscal impact associated with Recommendation 2. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

A motion was made by Supervisor Lawson-Remer, seconded by Supervisor Montgomery Steppe, for the Board of Supervisors to take action as recommended.

AYES: Lawson-Remer, Montgomery Steppe

NOES: Anderson, Desmond

ABSENT: Vargas

(Motion failed due to a tie vote. Pursuant to rule 2(g) of the Board's Rules of Procedure, this item will be placed on the agenda for the next regular meeting.)

State of California)

County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER

Clerk of the Board of Supervisors



Signed

by Andrew Potter