

MENTAL HEALTH **July 16, 2023**

AG seeking public input on social media's effects on kids

The effort is to help determine whether companies can be held liable for negative impact on young people's emotional health.

By Shawne K. Wickham - Sunday News Staff

Should social media companies be held accountable for their negative impact on our kids' mental health?

That question lies at the heart of an investigation by New Hampshire's top law enforcement agency, which is asking the public to weigh in on the issue.

The Attorney General's Consumer Protection & Antitrust Bureau enforces the state's consumer protection law, which prohibits "any unfair or deceptive act or practice in the conduct of any trade or commerce within this state." That often involves unfair contracts, fraudulent products or unsavory business practices.

Now that office is turning its investigative lens on the social media platforms that have become integral to the lives of many Americans — especially kids.

"For the first time in history, you have an entire generation of young people who grew up with the ability to have a smartphone and have access to not only social media but anything else on the internet 24 hours a day," said Brandon Garod, senior assistant AG in the consumer protection bureau.

"With that societal change, there began to be increased attention on whether or not that was potentially harmful — whether there was a correlation between age and amount of time spent on certain platforms that led to significant adverse mental health consequences," Garod said.



Ava Lind, a member of the Raymond Coalition for Youth, says she spends more time with her animals, including her miniature horse Sparkle, than she does on social media.
PROVIDED BY AVA LIND

In November 2021, New Hampshire Attorney General John Formella joined his counterparts from other states in a nationwide investigation into whether Meta Platforms Inc. is promoting its social media platforms Facebook and

Instagram to children

Social Media

“despite knowing that use of these platforms is associated with an increased risk of physical and mental health harms in young people, including depression, eating disorders, and even suicide,” according to a statement released at the time.

That investigation has since expanded to include ByteDance, owner of Tik Tok.

Ordinarily, Garod said, investigations are triggered by complaints from members of the public about unfair or deceptive practices by companies. This time, the AG’s office is soliciting public input.

“We are hoping to hear from parents, teachers, counselors, maybe even people who have experienced adverse consequences themselves,” he said. “We want to know, directly from the source, from Granite Staters: Is this a problem in this state? And if so, tell us.”

The agency has set up a dedicated email for people to share their stories: SMPImpact@doj.nh.gov.

Social media everywhere

Public health experts have identified a national mental health crisis among young people that was exacerbated by the pandemic — when kids were out of school and spending much of their time online.

“There’s significant evidence out there that this current generation of young people is experiencing mental health issues that have not been experienced to the same degree by prior generations. And the question is why,” Garod said. “We are looking to determine whether social media plays a part in that, or is the cause of that.”

In May, the U.S Surgeon General issued an advisory about negative effects of social media on youth.

“While social media may offer some benefits, there are ample indicators that social media can also pose a risk of harm to the mental health and well-being of children and adolescents,” Dr. Vivek Murthy said in a statement.

Murthy noted that social media use among youths is nearly universal, with up to 95% of kids 13 to 17 years old reporting using a social media platform — and more than a third saying they use it “almost constantly.”

Research has shown a correlation between heavy social media use by kids and mental health issues such as depression, anxiety, problem eating behaviors and low self-esteem, the surgeon general's advisory said.

Growing up quickly

Ava Lind, 15, a student at Raymond High School, said she has seen the negative effects of social media among her classmates. The byproducts include cyber-bullying and body image issues.

"There are big celebrities out there that look a certain way ... It makes it seem like you have to have a perfect body or a perfect image to be great," she said.

But she said, "You just need to be yourself and be caring and loving. You just need to be you to be great."

Lind said she doesn't spend as much time on social media as some of her classmates. She rides horses and has miniature horses and dogs to take care of at home. "I try to keep myself busy off my phone," she said.

Her parents made her and her sisters wait until they were 13 before they had any access to social media, she said. Even then, "My mom monitored me and made sure I was only (on) with family."

It's a decision she appreciates today.

"Everyone's growing up so quickly now," she said. "It's hard to slow it down."

Lind said she thinks some apps should be available only to adults. And she suggested, "Maybe you have to be over 18 to have comments on your posts, so you're older and more mature."

For good and bad

Susan Stearns, executive director for the New Hampshire chapter of the National Alliance on Mental Illness, said social media can be a force both for good and for harm.

"We all know the stories of children who have been bullied," Stearns said.

But for some LGBTQ youth, for instance, "That may be the only place they are able to connect to an affirming community," she said.

Mary Forsythe-Taber, executive director of Makin' It Happen, a substance abuse prevention and mental health organization in Manchester, also said she has seen both positive and negative impacts from social media.

“I think that the kids found some community through social media during COVID because they were all isolated, so that was a good thing,” she said. But there was also “some negative stuff going on and it would bother them.”

At a youth leadership training her organization sponsored last winter, Forsythe-Taber said, “All the kids talked about the influence of social media. How it can be really good because there are some really good apps for young people for mental health and just to keep them safe, but there’s also some really negative things.”

“Cyberbullying is a really big thing, but also the social pressure to vape and be cool,” she said.

“Does the good outweigh the bad? I’m not sure,” Forsythe-Taber said.

Celeste Clark, executive director of Raymond Coalition for Youth, said she hears about the stress that social media causes kids at both the middle and high school levels, from cyberbullying to TikTok “challenges.”

Nowadays, home is no longer a sanctuary for kids who feel bullied or marginalized.

“It just doesn’t stop. It’s 24/7 for them,” she said. “And that’s where the whole suicide prevention thing is so important.”

“This generation now, they’re basically born with phones a part of their lives. Their whole social connection is in that phone,” Clark said.

The kids she works with say the answer is not to get rid of social media, Clark said. But they tell her they wish there was a way to make people act more kindly when they’re posting there — “and realize that people are on the other end,” she said.

Protecting citizens

As the top law enforcement agency in the state, the AG’s office has a role to play, Garod said. “We look to protect the collective interests of the state,” he said.

Investigators have to do more than establish a causal connection to bring an action under the consumer protection law, Garod said. “You have to prove that the company that you’re investigating engaged in unfair or deceptive acts or practices in the course of commerce,” he said.

“If New Hampshire’s youth are being harmed by a product or service, and that harm is the result of unfair or deceptive acts and practices, that’s why we have a consumer protection bureau,” he said.

There are precedents for such actions, he said: the settlements reached in the 1990s with big tobacco companies, and more recently with Juul for marketing and selling its vaping products to underage users.

“I think that’s a good way to think about how, with a harmful product that’s used by the mass population in this country, the company that provides that product could potentially commit unfair or deceptive practices,” Garod said.

Clark from the Raymond youth coalition said she was heartened to hear about the AG’s investigation. “I think that’s really interesting, and promising actually, that people are taking note of how important this is,” she said.

Manchester advocate Forsythe-Taber thinks parents need to be better informed about what their kids are seeing and doing online. “Social media is brutal,” she said.

But it’s also part of their lives. “These kids are digital natives. They’ve grown up with it and that’s all that they know,” she said. “We’re not going to go backwards, so let’s go forward in teaching parents of young kids from the get-go, before the phone gets in their hands.”

Assessing the impact

Raymond student Lind, who is a member of Raymond Coalition for Youth, favors keeping little kids off social media entirely. Her advice to parents: “Keep an eye on your child, especially if they’re young.”

“If you trust them and if they’re mature, that’s one thing,” she said. “If they’re younger, I would definitely supervise them, especially with social media, so you know that they’re being safe.”

Garod said he hopes people will share their stories with his office. “The more people reach out, the better position we’ll be in to assess how this is impacting the state and what if anything should be done to remedy it,” he said.

No one is suggesting a ban on social media, he said. “But if there’s a problem, problems can be fixed,” he said. “So that’s what we’re trying to look into.”

NAMI’s Stearns said she welcomes the attention state leaders are devoting to this issue. “Whatever results come of the attorney general’s investigation and what they may choose to do in a legal realm, it’s highlighting the issue, and I hope

sparking conversations,” she said. “Young people are pretty savvy and are very open to talking about mental health in a way we’ve not seen in previous generations,” Stearns said. “I think this is a great opportunity to embrace the conversation, to talk about social media use and talk about its impact on mental health.”

“The health of our state really depends on the health of our children,” Stearns said.

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