

**IN THE CIRCUIT COURT OF
THE FIRST JUDICIAL DISTRICT
IN AND FOR SANTA ROSA COUNTY**

CIVIL DIVISION

CASE NO. :

OFFICE OF THE ATTORNEY GENERAL,
STATE OF FLORIDA,
DEPARTMENT OF LEGAL AFFAIRS,

PUBLIC REDACTED

Plaintiff,

v.

SNAP INC.,

Defendant.

COMPLAINT

1. There is a widespread consensus among parents, teachers, and experts in teen mental health that compulsive use of social media is harmful to teens' well-being. Last year, bipartisan supermajorities of both houses of the Florida Legislature acted to address this problem by enacting H.B. 3, 2024 Leg., Reg. Sess. (Fla. 2024) (codified at §§ 501.1736–1738, Fla. Stat. (2024)). H.B. 3 identifies five addictive design features that some social media platforms use to promote behavioral addiction and compulsive use, and it prohibits covered social media platforms that deploy those features from contracting with and providing accounts to people who they know are 13 years old or younger. H.B. 3 also requires that covered social media platforms obtain parental consent before contracting with and providing accounts to people who they know are 14 or 15 years old.

2. Snap Inc. operates the Snapchat social media platform, which is enormously popular among Florida teenagers. It has acknowledged in other litigation that it is subject to H.B. 3, yet it is openly defying this important public health measure. Snap's conduct is particularly

egregious because it continues to market Snapchat in Florida as safe for users as young as 13 even though it knows that Snapchat can be easily used to access pornography and buy drugs, among many other dangers. Rather than obeying Florida law by removing 13-year-old users from the platform and seeking parental consent for 14- and 15-year-old users, Snap is actively deceiving Florida parents about the risks of allowing their teens to access this platform.

3. Through this lawsuit, the Attorney General seeks to compel Snap to comply with its obligations under H.B. 3 as well as the Florida Deceptive and Unfair Trade Practices Act, Chapter 501, Part II, Florida Statutes (“FDUTPA”), which prohibits the unfair and deceptive business practices that Snap has used to build its vast and lucrative Florida user base.

PARTIES

4. Plaintiff, the Attorney General of the State of Florida, is authorized to enforce H.B. 3 and FDUTPA. The Attorney General has investigated the matters alleged in this Complaint and has determined that this enforcement action serves the public interest as required by § 501.207, Fla. Stat.

5. Defendant Snap Inc. (“Snap”) is a for-profit entity incorporated in Delaware. Snap is headquartered at 3000 31st Street, Santa Monica, California. In the last quarter of 2024, Snap’s average revenue per user in North America was less than \$10. But thanks to its vast user base, Snap’s North American operations yielded over \$3.2 billion in revenue for the company in 2024.

JURISDICTION AND VENUE

6. This is an action for statutory and equitable relief under H.B. 3 and FDUTPA. Under those statutes, the Attorney General seeks relief in an amount greater than Fifty Thousand Dollars (\$50,000), exclusive of fees and costs.

7. Snap's statutory violations occurred in or affect more than one judicial circuit in the State of Florida, including the First Judicial Circuit in and for Santa Rosa County.

8. This Court has subject matter jurisdiction over this matter under § 501.207(3), Fla. Stat.

9. Venue is proper in this Court because allegations in this Complaint establish that the cause of action accrued in Santa Rosa County. *See* § 47.051, Fla. Stat.

10. This Court has personal jurisdiction over Snap under Florida's long-arm statute, § 48.193(1)(a), Fla. Stat., because Snap has substantial contacts in Florida.

11. Snap has millions of users in the State of Florida, including tens of thousands of users who are under 16 years old. Snap generates millions of dollars of annual revenue by making Snapchat available to users in Florida.

12. Whenever someone downloads and signs up for an account on Snapchat, they agree to Snap's Terms of Service, which is a contract between the user and Snap. Under that contract, the user agrees to allow Snap to collect data about the user, including the user's location. In return, Snap makes the Snapchat application available to the user. This contractual relationship involves ongoing performance by both parties, with both the user and Snap performing under the contract each time the user accesses Snapchat.

13. The content that Snapchat displays to users is determined in part by the user's location. For example, a user of Snapchat in Florida is more likely to see content related to the Florida State Seminoles football team because he is in Florida.

14. Snap sells advertisements to third parties to target users in Florida, including advertisers located in Florida and advertisers located outside the state seeking to reach users in the state. The advertisements on Snapchat are targeted at users based in part on their location. For

example, a user of Snapchat located in Pensacola might see advertisements for a local Pensacola florist due to his location.

15. Snap also targets the Florida market in other ways. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

16. The conduct described in this Complaint and the harm it causes arise from Snap’s activities directed to Florida and to Snapchat users in Florida.

FACTUAL ALLEGATIONS

I. Overview of Snapchat

17. The Snapchat app (“Snapchat”) 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.

18. Generally, Snapchat 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.

19. Snapchat allows users to make various modifications to such photos or videos. Such modifications include the addition of user-generated text, user-generated freehand drawings, and the addition of other supplementary content created by Snap. One kind of such supplementary content is branded as “Lenses,” which, generally, alter the appearance of human faces or other content in photos or videos.

20. Photos and videos thus taken and modified are, generally, known as “snaps.” Users may also create content by importing existing photos stored on their devices and applying, if the users so choose, the same modifications.

21. Various elements of Snapchat allow these snaps to be shared with other Snapchat users. One such element of Snapchat allows Snaps to be shared with one, or a group, of the user’s contacts (“Friends”) on Snapchat. A closely related element, known as “Chat,” also allows text, rather than snaps, to be shared with one or a group of the user’s contacts, in a manner akin to traditional text messaging. Generally, to share content via these elements, a user will first have to have added another user as a contact.

22. Generally, snaps or texts sent via these two methods are ephemeral: they are available for viewing for a limited period, on the order of days, and, once viewed, can only be displayed for a limited period, on the order of seconds for snaps and days for Chats.

23. For these two elements, Snapchat displays to a user various metrics of the frequency of correspondence between the user and his contacts. One such metric, known as “Snapstreaks,” generally records for how many consecutive days both users have sent snaps to one another. Another set of metrics ranks relatively, without exact numbers, the users with whom a user most frequently communicates, known as his “Best Friends.”

24. A user may also send snaps or Chats to the “My AI” element, which generates responses using generative artificial intelligence. In terms of the user interface, the user exchanges content with the “My AI” in the same way that he would exchange content with one of his other Snapchat contacts.

25. Another element, which allows snaps to be shared and consumed in a different manner, is known as “Stories.” Stories consist of one or more Snaps which are made available to

a certain set of other users for viewing. Snaps posted to Stories are, generally, available for viewing for 24 hours and can be viewed by other users an unlimited number of times within that period.

26. Often, a user will post a Story in which snaps are made available to all the user's contacts. The user may also post to other Stories in which snaps are made available to different sets of users of Snapchat.

27. A user can add contacts for purposes of the above-described methods of communication in various ways. Snap refers to such contacts as "Friends" even though the so-called "Friends" on Snapchat may not actually know each other in real life.

28. The element known as "Search," among other things, allows users to search for users whom they might add as a contact. The results of the search are based both on the user's input search term and the user's activity on the app.

29. The element known as "Find Friends" recommends to a user other users whom he should add as "Friends." Find Friends makes its recommendations based on an algorithm that takes into account the user's activity on Snapchat.

30. In addition to allowing the consumption of content created by a user's contacts, Snapchat also allows a user to consume snaps created by users of the platform whom he has not added as a contact.

31. Snapchat's "Snap Maps" element allows users to view snaps that are associated with physical locations on a map. Snaps on Snap Map may, generally, be submitted by any user of Snapchat.

32. Snapchat's "Spotlight" element allows users to view short-video snaps in a feed through which users can endlessly scroll and in which videos play automatically, much like TikTok. Snaps in Spotlight may, generally, be submitted by any user of Snapchat. Of the submitted

content, Snapchat recommends the next Snap to a user based on an algorithm that takes into account the user's activity on the platform.

33. Snapchat's "Discover" element allows users to view snaps and other photo and video content in a feed through which users can endlessly scroll and in which videos play automatically. Snaps in Discover may, generally, be submitted only by certain semi-professional users of Snapchat or professional publishers with whom Snap has entered into agreements for this purpose. Of the submitted content, Snapchat recommends the next Snap to a user based on an algorithm that takes into account the user's activity on the platform.

34. Snap also offers, for a recurring fee, its Snapchat+ product, which adds a set of many additional elements to the Snapchat app, which are unavailable to non-paying users. One such additional element, for example, is the capability for a user to view the "Best Friends" of other users.

35. Snap 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.

36. Young people are a critical user base of Snapchat. CEO Evan Spiegel remarked that he and his cofounder "were thrilled to hear that most of [Snapchat's users] were high school 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."¹

37. Snap 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-

¹ Spiegel Evan, *Let's Chat*, SNAP INC., <https://perma.cc/AE97-TZ3L>.

popping stat: People who use Snapchat open the app 30+ times a day and send 4 billion+ messages.”²

38. Today, millions of young people in the United States use Snapchat. According to the Pew Research Center, 55% of teens use Snapchat, 48% of them use it “daily,” and 13% say that they are on Snapchat “almost constantly.”³ A 2025 survey of 11- to 13-year-olds in Florida found that 47% of Floridians in this age cohort have Snapchat accounts.⁴

II. Snap’s Open Defiance of H.B. 3

A. The Florida Legislature Enacts H.B. 3 To Address a Mental Health Crisis Among Teenagers Caused by Behavioral Addiction to Social Media.

39. Something has gone wrong in the lives of American teenagers. Since the early 2010s, studies examining adolescent well-being have documented increasing symptoms of depression, loneliness, and unhappiness, with rates of major depression among teenagers more than doubling.

40. The early 2010s was also a turning point for American teens’ use of technology. Teen smartphone ownership more than tripled between 2011 and 2015. Smartphones with front-facing cameras (which make it easier to take selfies) were introduced in 2010, and over the ensuing years teenagers’ use of social media exploded. By 2017, 78% of 8th graders reported that they used social media almost every day.

41. A robust body of research shows that social media use is responsible for the nationwide teen mental health crisis. Increased use of social media among teens is associated with increased rates of depression. Teenagers who are heavy social media users are also more likely to

² *What Does Gen Z Want From Brands?*, SNAP INC., <https://perma.cc/LCM9-69NH>.

³ Michelle Faverio & Olivia Sidoti, *Teens, Social Media and Technology 2024*, PEW RESEARCH CENTER (Dec. 12, 2024), <https://perma.cc/YF89-XYZW>.

⁴ J. Martin, et al., *The Life in Media Survey: A baseline study of digital media use and well-being among 11- 13-year-olds at 26*, LIFE IN MEDIA SURVEY, <https://perma.cc/P5HU-V96W>.

report that they have hurt themselves on purpose. Experiments on social media use further support the same conclusion, showing that teens who give up or reduce their social media use have less anxiety and depression compared to those who do not. Compulsive social media use at nighttime has also been shown to have an adverse and clinically significant effect on teens' sleep, thereby interfering with cognitive development, performance in school, and overall well-being.

42. One of the major mechanisms through which social media use causes mental health problems in teens is through behavioral addiction. A behavioral addiction occurs when someone fails to resist engaging in behaviors or experiences that are compelling in the short run despite harming their well-being in the long run. When a teenager becomes addicted to social media, it crowds out other activities that promote psychological well-being and healthy cognitive development such as time with family and friends, physical activity, and sleep.

43. The harms visited on young people by compulsive use of social media are a direct result of the intentional design choices of the owners of certain social media platforms, including Snap. As the U.S. Surgeon General explained in a recent advisory, social-media platforms deploy features like “[p]ush notifications, autoplay, infinite scroll, quantifying and displaying popularity (i.e., ‘likes’), and algorithms that leverage user data to serve content recommendations” that lead to “excessive use and behavioral dysregulation.”⁵ Those features “overstimulate the reward center in the brain” and “trigger pathways comparable to addiction,” resulting in “changes in brain structure similar to changes seen in individuals with substance use or gambling addictions.” The Surgeon General noted that “we are experiencing a national youth mental health crisis” and called on lawmakers to “act swiftly” to “limit[] the use of [addictive] features” by platforms.⁶

⁵ Office of the Surgeon General, *Social Media and Youth Mental Health: The U.S. Surgeon General’s Advisory* at 9 (2023), <https://perma.cc/3GPW-XDBY>.

⁶ *Id.* at 13, 15.

44. The Florida Legislature answered the Surgeon General’s call for action by enacting H.B. 3. This statute applies to social media companies that have *all* of the following characteristics: (1) “Allows users to upload content or view the content or activity of other users;” (2) “Ten percent or more of the daily active users who are younger than 16 years of age spend on average 2 hours per day or longer on the . . . application on the days when using the . . . application;” (3) “Employs algorithms that analyze user data or information on users to select content for users”; and (4) has at least one of five enumerated “addictive features.” § 501.1736(1)(e), Fla. Stat.

45. H.B. 3 requires that “[a] social media platform shall prohibit a minor who is younger than 14 years of age from entering into a contract with a social media platform to become an account holder.” § 501.1736(2)(a), Fla. Stat.

46. H.B. 3 further requires that “[a] social media platform shall prohibit a minor who is 14 or 15 years of age from entering into a contract with a social media platform to become an account holder, unless the minor’s parent or guardian provides consent for the minor to become an account holder.” § 501.1736(3)(a), Fla. Stat.

47. Snap is subject to H.B. 3 because it meets the above statutory definition of a covered social media company. In a signed declaration made under penalty of perjury and filed in federal court, a Snap executive admitted that “Snap is likely covered by the law.”

48. Despite being subject to H.B. 3, Snap contracts with and provides accounts to Florida users who it knows are younger than 14. It also fails to seek parental consent before contracting with and providing accounts to Florida users who it knows are 14 or 15 years old. Snap is openly and knowingly violating H.B. 3, and each violation constitutes an unfair and deceptive trade practice under FDUTPA. § 501.1737(5)(a), Fla. Stat.

B. Snap’s Ongoing Use of Addictive Design Features Identified in H.B. 3 Harms Florida Teens.

49. As noted above, H.B. 3 only applies to social media platforms that use at least one of five enumerated “addictive features.” § 501.1736(1)(e)(4), Fla. Stat. Snapchat utilizes four of the five such features identified in H.B. 3.

50. First, Snapchat uses “[i]nfinite scrolling,” which includes “content that loads as the user scrolls down the page without the need to open a separate page” and “the use of pages with no visible or apparent end or page breaks.” § 501.1736(1)(e)(4)(a), Fla. Stat. Infinite scrolling is harmful and promotes behavioral addiction because it eliminates natural stopping cues that would otherwise demarcate episodes of use. Without such stopping cues, people tend to allow an episode of use to continue by default, and research shows that infinite scrolling contributes to compulsive use of social media.

51. Stories, Spotlight, and Discover all present content via infinite scrolling, and

[REDACTED]

52. Second, Snapchat uses “[p]ush notifications,” which are alerts that appear on a user’s phone screen when they are not using Snapchat that are designed to entice the user back onto the app. *See* § 501.1736(1)(e)(4)(b), Fla. Stat. Push notifications exploit users’ natural

tendency to seek and attend to environmental feedback, serving as distractors that monopolize attention. Young users are especially sensitive to these triggers and less able to control their response and resist reopening the app. Snapchat sends push notifications to users, regardless of age, frequently and at all hours of the day and night. They disrupt young people at school and interfere with homework, time with family and friends, and sleep.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

54. Third, Snapchat “[d]isplays personal interactive metrics that indicate the number of times other users have clicked a button to indicate their reaction to content or have shared or reposted content.” § 501.1736(1)(e)(4)(c), Fla. Stat. Such interactive metrics are powerful sources of feedback that drive engagement by activating neural circuits in the brain that are associated with reward processing. Research has found that adolescents show increased sensitivity to feedback provided through interactive metrics and that their engagement with social media is driven more strongly by this feedback.

55. Snapchat includes a variety of interactive personal metrics, including a button on the Spotlight page that shows the number of times a video has been reposted as well as a “Snapscore”—a number that appears on each user’s public profile that reflects the type and volume of engagements the user has undertaken on Snapchat. The higher a user’s Snapscore, the higher that user’s engagement on Snapchat.

56. Perhaps the most problematic interactive metric on Snapchat is Snapstreaks. A

Snapstreak is a designation Snapchat gives to conversations between users who exchange at least one snap per day for more than three days. When users enter a Snapstreak, a fire ball emoji appears next to their chat, and Snapchat begins showing a running tally of the number of consecutive days that users have exchanged snaps. When users are about to lose their streak (meaning one user has not sent a snap in almost 24 hours), Snapchat warns them.

57. Snapstreaks can cause and contribute to compulsive use and social comparison in young users who are particularly vulnerable to pressures to continue Snapstreaks. Teens often view Snapstreaks as evidence of the strength of their real-life friendships, and they feel immense pressure to continue them for fear of losing their streak and potentially upsetting their real-life friends. [REDACTED]

[REDACTED]

58. [REDACTED]

[REDACTED] But rather than taking steps to address the harmful effects of Snapstreaks on the platform’s users, Snap directly monetizes this abusive aspect of its product by offering to restore users’ lost Snapstreaks for a fee. [REDACTED]

[REDACTED]

59. Fourth, Snapchat uses “auto-play video or video that begins to play without the

user first clicking on the video or on a play button for that video.” § 501.1736(e)(4)(d), Fla. Stat. Like infinite scrolling, auto-play of videos contributes to addictiveness by eliminating stopping cues and encouraging extended viewing sessions. [REDACTED]

60. In sum, Snapchat includes numerous features identified in H.B. 3 that promote harmful compulsive overuse by teenagers. Despite these design features, Snap continues to make its platform available to users under 14 years’ old and to 14- and 15-year-old users without parental consent in defiance of Florida law.

III. Additional Snapchat Design Features Promote Behavioral Addiction and Harm User Well-Being.

61. In addition to the design features described in the preceding section, numerous other aspects of Snapchat promote behavioral addiction and cause psychological harm to Snapchat’s youngest users.

Ephemerality

62. Snap markets disappearing messages as one of the core features of Snapchat: at Snapchat, “Delete is our default.”⁷ This means most messages sent over Snapchat are automatically deleted once they have been viewed or have expired. When Snap deletes messages, it deletes them from the app and from Snapchat servers.

63. Snap tells users that chats “are set to delete” after 24 hours, and users can change those settings to cause chats to be deleted immediately after viewing or after 7 days. Snap also says that chats in Group Chats “are deleted by default 24 hours after everyone in the Group has

⁷ *When does Snapchat delete Snaps and Chats?* – Snapchat Support, SNAP INC., <https://perma.cc/JC5P-XCTD>.

viewed the Chat on the Snapchat mobile or web app or 31 days after the Chat was sent, whichever is sooner.”⁸ Stories are only available to view for 24 hours.

64. The disappearing nature of Snapchat content contributes to the app’s harm to young people. This aspect of Snapchat encourages users to open the app and keep coming back to it constantly, and it preys on minor users who are especially sensitive to a fear of missing content.

Lenses

65. Snapchat is well known for its “lenses”—photo filters that Snap describes as “[augmented reality] experiences [that] transform the way you look and the world around you!”⁹

66. Some Snapchat lenses fundamentally and realistically alter the appearance of a user’s skin and facial features in a manner akin to plastic surgery or other 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.”¹⁰

[REDACTED]

⁸ *Id.*
⁹ *How do I use Lenses on Snapchat?*, SNAP INC., <https://perma.cc/A223-A6HL>.
¹⁰ Elle Hunt, *Faking It: How Selfie Dysmorphia Is Driving People To Seek Surgery*, The Guardian (Jan. 23, 2019), <https://perma.cc/XJ9N-SGRU>.

68. Snapchat’s beauty lenses harm younger users, particularly girls. Young people are still developing and forming their identities, and they are vulnerable to the negative impacts of this face-altering technology.

Charms

69. Snap also uses various gimmicks to gamify users’ relationships with the goal of encouraging them to increase their usage of Snapchat.

70. “Charms are fun, special mementos that celebrate your friendships! Charms are added based on your interactions and relationships with your friends.”¹¹ Snap says that “Charms are special surprises that are added based on your relationships with your friends and how you interact with each other. It’s about having fun.”

71. Like Snapstreaks, Charms are a way for young people to evaluate their real-life friendships on Snapchat’s terms. The more users interact with each other on Snapchat, the more “Charms” they receive. And, because Charms are “surprises,” users are encouraged to keep up their engagement to see what new Charms might appear. Charms may even appear if users have not been communicating to specifically encourage them to restart their engagement with each other.

72. Prior to Charms, Snapchat had Trophies, which were emojis that users could earn by engaging in certain tasks on Snapchat. The Trophies were visible to users’ friends. Like Charms, Trophies were designed to encourage more engagement on Snapchat and contributed to compulsive use.

Friend Solar System

73. Perhaps Snapchat’s most extreme method of user manipulation is the app’s

¹¹ *What are Charms on Snapchat?*, SNAP INC., <https://perma.cc/88MY-NPQG>.

Friend Solar System. The Friend Solar System is a feature available to users who pay for a Snapchat+ subscription. Snap explains it this way:

As a Snapchat+ subscriber, you'll see a 'Best Friends' badge with a gold ring around it on someone's Friendship Profile. 'Best Friends' means they're among the eight friends you Snap and Chat with the most. Tapping on the badge will show you which planet you are in their Solar System, with each planet representing a different position in their Best Friends list.¹²

74. This means that young people can see if (according to Snapchat) they are as valuable to their "friends" as their "friends" are to them. A user's friend might show up as Mercury in his solar system but only be Jupiter or Neptune in the friend's solar system.¹³ This feature causes tremendous stress for young people who are acutely and uniquely vulnerable to social pressure and validation.¹⁴ As one teen commented to the *Wall Street Journal*, "A lot of kids my age have trouble differentiating best friends on Snapchat from actual best friends in real life."



75. In response to public backlash from parents and others, Snap turned the Friend Solar System off by default. But it is still available to users who pay the fee for a subscription to Snapchat+.

Algorithm

76. Snap also recommends content using algorithms that are fine-tuned to maximize the amount of time users spend on the platform. These algorithms are designed to keep users on

¹² *How do Friend Solar Systems work?*, SNAP INC., <https://perma.cc/Q3AH-7WV3>.

¹³ *Id.*

¹⁴ Julie Jargon, *Snapchat's Friend-Ranking Feature Adds to Teen Anxiety*, WALL ST. J. (Mar. 30, 2024), <https://perma.cc/VSK6-N97X>.

Snapchat for as long as possible, regardless of the consequences for users' mental health and well-being.

* * *

77. Snap bills Snapchat as unique among its social media platform peers in ways that supposedly make it safer and more authentic. For example, a Snap media campaign touts Snapchat's supposed lack of features that promote social comparison: "Less likes. More love" and "Less social media. More Snapchat."¹⁵ Snap goes so far as to say it "was built as an antidote to social media."¹⁶ Such claims are highly deceptive in light of the manipulative design features of Snapchat that promote behavioral addiction and encourage teens to compare themselves, their relationships, and their social standing to others. Snap also unfairly fails to warn users about these dangerous and psychologically harmful aspects of its product.

IV. Snap's False, Deceptive, and Misleading Representations and Omissions about the Dangers of Using Snapchat.

78. Snap has established its enormous market share among teenage users of social media in part by marketing Snapchat as safe for minor users. Perhaps most notably, Snap assigns itself a "12+" rating in the Apple App Store and a "T for Teen" rating in the Google Play and Microsoft Stores. Consumers are presented with these age ratings when they download Snapchat on a smartphone. These age ratings are highly deceptive—both because of the psychologically harmful features of Snapchat described above and because Snapchat hosts enormous amounts of mature content and facilitates dangerous activities as detailed below.

79. Apple, Inc. ("Apple") requires developers like Snap who submit an app for inclusion in Apple's App Store to answer an age-rating questionnaire. Apple says that apps that

¹⁵ *Less Likes. More Love*, SNAP INC., <https://perma.cc/DH8D-CDWT>.

¹⁶ *Id.*

host user-generated content (like Snapchat) “should share the age rating of the highest age rated creator content available in the app.”¹⁷ Apple warns developers: “We have lots of kids downloading lots of apps,” and app developers like Snap “have to do [their] part” to keep kids safe. *Id.* Apple also tells developers to “[a]nswer the age rating questions in App Store Connect honestly so that your app aligns properly with parental controls.” *Id.* “If your app is mis-rated,” Apple warns, “customers might be surprised by what they get, or it could trigger an inquiry from government regulators.” *Id.*

80. Apple’s age-rating questionnaire asks Snap to describe the content available on the Snapchat app in each of these categories: “Alcohol, Tobacco or Drug Use or References,” “Sexual Content or Nudity,” “Mature/Suggestive Themes,” and “Profanity or Crude Humor.” Based on the self-selected answers to these questions—“none,” “infrequent/mild,” or “frequent/intense”—Apple automatically generates an age-rating. Apple also offers every app developer (including Snap) the option to self-select a higher age rating than the one Apple suggests based on the app developer’s answers regarding the various categories of content.

81. Snap self-selects the answer “infrequent/mild” for each of the described categories. By doing so, Snap chooses to make the following representations displayed on its page in the App Store:

“Infrequent/Mild Profanity or Crude Humor”

“Infrequent/Mild Mature/Suggestive Themes”

“Infrequent/Mild Sexual Content and Nudity”

“Infrequent/Mild Alcohol, Tobacco, or Drug Use or References”

¹⁷ *App Review Guidelines*, APPLE, <https://perma.cc/HA6S-KBD>.

82. Snap's answers cause Apple to offer a "12+" age rating option. Apple defines apps with the "12+" age rating as apps that "may also contain infrequent mild language, frequent or intense cartoon, fantasy, or realistic violence, infrequent or mild mature or suggestive themes, and simulated gambling, which may not be suitable for children under the age of 12." Snap chooses to rate its app "12+."

83. The next higher (and highest) age rating is "17+." Apple offers Snap the option to choose this rating, but Snap has never done so. Apple defines apps with the "17+" age rating as apps that "may also contain frequent and intense offensive language, frequent and intense cartoon, fantasy, or realistic violence, and frequent and intense mature, horror, and suggestive themes; plus sexual content, nudity, alcohol, tobacco and drugs which may not be suitable for children under the age of 17."

84. Snap also makes Snapchat available in the Google Play and Microsoft Stores. Snap responds to age-rating questions in a way that allows it to claim a "T for Teen" age rating for Snapchat. Snap knows and intends that Google and Microsoft will convey the "T for Teen" age rating to consumers on Snap's behalf. A "T for Teen" rating is defined as: "Content is generally suitable for ages 13 and up. May contain violence, suggestive themes, crude humor, minimal blood, simulated gambling and/or infrequent use of strong language." By contrast, an "M for Mature" rating is defined as: "Content is generally suitable for ages 17 and up. May contain intense violence, blood and gore, sexual content and/or strong language."

85. As detailed below, Snap's age rating representations are deceptive and unfair.

A. Profanity or Crude Humor

86. Profanity on Snapchat is neither "infrequent" nor "mild."

87. Prior to the filing of this lawsuit, an investigator in the Attorney General’s Office set up an account on Snapchat on a new iPhone using a 13-year-old’s birthday. Using this 13-year-old’s account, the investigator found that minors are easily able to access videos containing frequent and intense profanity, including the following examples:

- A video of two women, with one of them giving the middle finger while both are singing along to the lyrics: “Honestly, don’t give a fuck ‘bout who ain’t fond of me, dropped two mixtapes in six months, What bitch working as hard as me?”;
- Someone telling a story with lots of profanity: “After that album they did together and shit like that, it was just like all the sudden motherfuckers just felt like ... on that pussy shit.”;
- Someone in a car holding a bottle of Patron tequila with a straw in it, saying: “Friday. I ain’t got no job. Bitch, I’m gonna get fucked up!”;
- A man doing smoke tricks while smoking a cigarette with the background lyrics, “Used to love another bitch, now she sucking other dicks, so I cut my fucking wrist feelin like a puddle of piss, suicide death of me, who gives a fuck? No one.”

88. Such content is readily available on Snapchat; yet Snap tells Florida consumers in the App Store that “profanity or crude humor” is “infrequent/mild” on the platform. That is false, deceptive, and misleading.

B. Alcohol, Tobacco, and Drug Use or References

89. Alcohol, tobacco, and drug use or references on Snapchat are neither “infrequent” nor “mild.”

90. The Attorney General’s investigation revealed that alcohol, tobacco, and drug use or references appear frequently, are intense, and are visible to minor users on Snapchat. Indeed, while logged in as a 13-year-old user, the Attorney General’s investigator saw many advertisements for alcohol and illegal drugs. These are just a few examples:

- Flavored cannabis single-use vape pens, advertised as “Lmkk for tmr” (which is slang for “let me know for tomorrow”) and “941 ONLY” (a reference to an area code in southwestern Florida);

- Packs of fruit flavored cannabis products with the text: “Different flavs to get Blazzzed” (“blazed” is slang for a cannabis-induced high);
- Offerings of magic mushroom chocolate bars, cannabis resin, and single-use cannabis vape products, for sale from another user.

91. Other publicly reported examples confirm that drug content on Snapchat is not “mild” or “infrequent.” Numerous young people, including young people in Santa Rosa County, have been exposed to drug dealers on Snapchat offering illicit or regulated drugs for sale.¹⁸ In some cases, Snapchat *recommended* such content to young users. Many young people have died from consuming drugs they purchased from dealers on Snapchat.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

93. Despite the ready availability and severity of drug, alcohol, and tobacco content on Snapchat, Snap tells Florida consumers in the App Store that “alcohol, tobacco, and drug . . . references” are “infrequent/mild” on the platform. That is false, deceptive, and misleading.

C. Sexual Content and Nudity

94. Sexual content and nudity on the Snapchat app is neither “infrequent” nor “mild.” Despite what Snap tells Florida consumers, [REDACTED]

[REDACTED]

¹⁸ See, e.g., Keith Lane, *Pensacola pair arrested after Snapchat drug deal leads to child abuse, kidnapping charges*, NBC NEWS 15 (June 24, 2019), <https://perma.cc/QR3X-3FVR> (detailing arrests made by Santa Rosa County Sheriff’s Office in connection with juvenile drug deal involving youths aged from 12 to 17 that was planned over Snapchat).

95. The Attorney General’s investigation revealed abundant sexual content on Snapchat, including:

- A woman dancing in a strip club for a man, in which her naked genitalia are visible;
- A woman dancing in a strip club for dollar bills, wearing thong underwear;
- A dancer in lingerie and thong underwear dancing in a bar in Orlando;
- Using the SnapMap, the user could look up an adult entertainment venue in Orlando and watch videos taken there, including male performers dancing with sex toys and topless female performers.

96. Snapchat also has long been referred to as a “sexting” app, where users can send sexually explicit images or videos or other inappropriate sexual content.

97. Snap’s ephemeral design, which quickly deletes users’ messages, allows and encourages young people to exchange sexual content.

98. Snapchat’s design enables predators to solicit from, and easily exchange sexual content with, minors on the app. Such incidents have been widely reported, including in Santa Rosa County.¹⁹

99. In 2023, 23% of young Snapchat users had already had an online sexual interaction, 13% with someone they thought was 18 or older. Of minors who had an online sexual interaction in 2023, 16% had it on Snapchat—more than any other platform.²⁰

100. Even though sexual content and nudity is readily accessible and exchanged on Snapchat, Snap tells Florida consumers in the App Store that “sexual content and nudity” is “infrequent/mild” on the platform. That is false, deceptive, and misleading.

¹⁹ See Kristin Kerns, *Pace man arrested for sending nude pics to minor via Snapchat*, ABC NEWS 3 (March 16, 2016), <https://perma.cc/9S3P-J6VH>.

²⁰ *Youth Perspectives on Online Safety* at 14, THORN (Aug. 2023), <https://perma.cc/LR3E-H5W5>.

D. Mature/Suggestive Themes

101. “Mature/suggestive themes” include content related to the topics already described as well as other complex themes that are suitable only for adult audiences such as suicide, self-harm, eating disorders, and other dangerous behavior.

102. “Mature/suggestive themes” on Snapchat are neither “mild” nor “infrequent.” Among other examples, the Attorney General’s investigation revealed:

- A picture with the text and matching audio saying: “but then I started thinking to myself, why be sad when you can Js be gone”;
- A dark selfie video with the text: “If I don’t attempt agin, I betray myself, If I do attempt agin, I betray my therapist Attempting is very dear to me: dearer than I?”;
- A video of men moving the dead bodies of two women.

103. Snap takes enforcement actions on only a tiny fraction of content and accounts reported by its users for inappropriate self-harm and suicide content. In the first half of 2024, Snap received a total of 288,956 reports about content or accounts related to “self-harm & suicide” but took action on only 0.1% of those reports.²¹ Snap’s systems were only able to proactively identify 289 instances of self-harm and suicide content in that same six-month period, *globally*.²²

104. Snapchat also encourages dangerous stunts. For example, one former Snapchat feature, its speed filter, encouraged users to snap their driving at dangerous speeds and caused multiple deaths.²³

105. Even though posts containing mature themes are readily available on Snapchat, Snap tells Florida consumers in the App Store that “mature/suggestive themes” are “infrequent/mild” on the platform. That is false, deceptive, and misleading.

²¹ *Transparency Report*, SNAP INC., <https://perma.cc/9ZU6-T9Y6>.

²² *Id.*

²³ Bobby Allyn, *Snapchat Ends ‘Speed Filter’ That Critics Say Encouraged Reckless Driving*, NPR (Jun. 17, 2021), <https://perma.cc/H3P4-S2R2>.

E. Additional Snapchat Features That Make Its 12+ and T for Teen Age Ratings Deceptive and Unfair

106. Other aspects of the Snapchat platform make the platform’s age ratings and other claims to being safe for minor users highly deceptive and unfair.

My AI

107. In February 2023, Snap introduced “My AI,” a chatbot feature, for Snapchat+ subscribers. In April 2023, Snap made My AI available to all Snapchat users.

108. Snap claims that “My AI has been programmed to abide by certain guidelines so the information it provides minimizes harm. This includes avoiding responses that are violent, hateful, sexually explicit, or otherwise offensive.”²⁴ These claims are highly misleading.

109. Snap made My AI available to Snapchat users, including young users, without adequate vetting or safety measures, exposing those users to dangerous adult content and “conversations” with the technology.

110. According to a *Washington Post* columnist who tested My AI with a 13-year-old account shortly after it was introduced, the chatbot “gave . . . advice on how to mask the smell of alcohol and pot,” how to deceive the supposed teen’s parents, and “about having sex for the first time with a partner who is 31.”²⁵

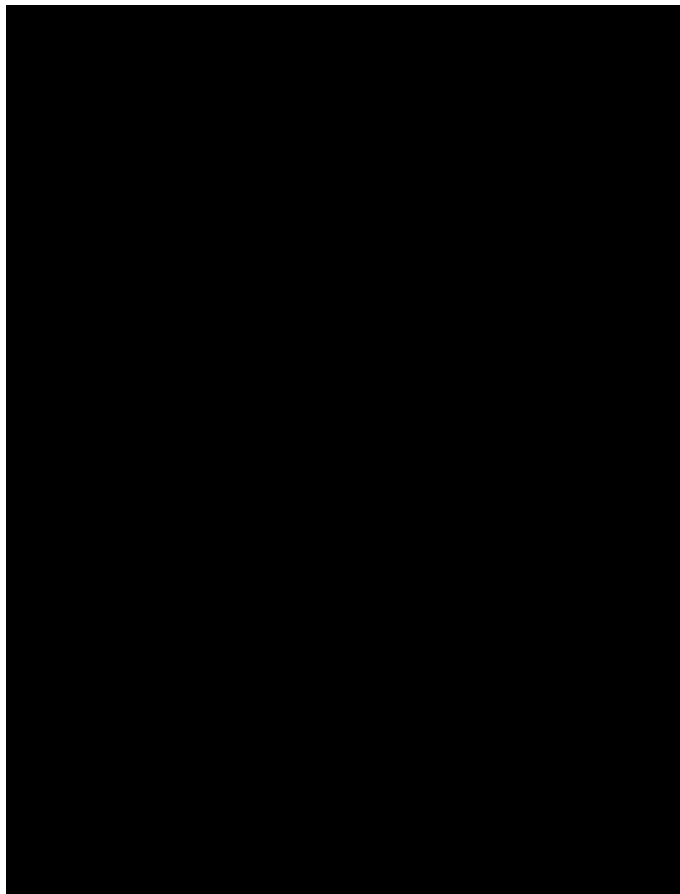
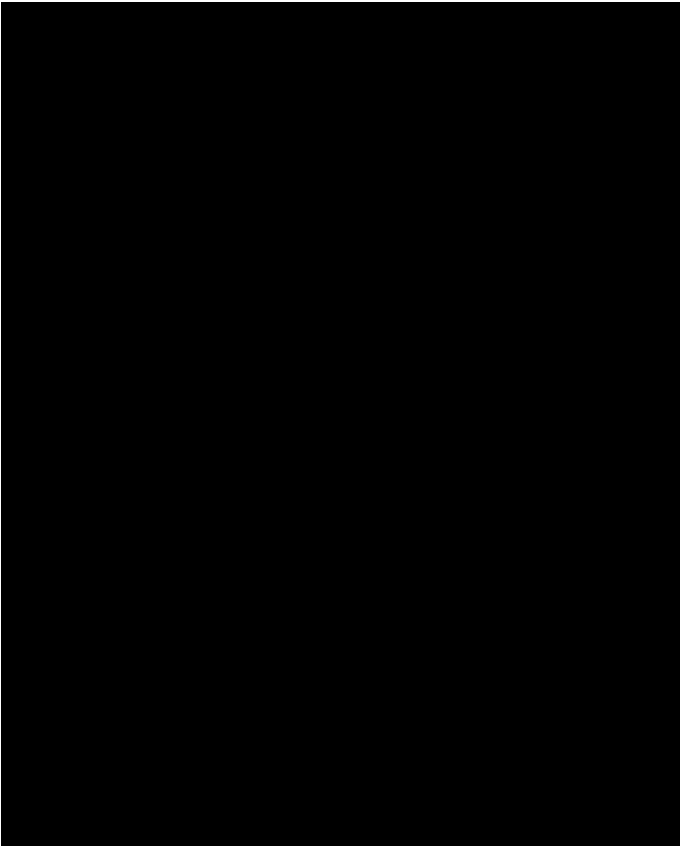
111. Snap knows that My AI sometimes gives dangerous advice, but it makes this feature available to its youngest users anyway. [REDACTED]

[REDACTED]

[REDACTED]

²⁴ 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/PP86-GJWY>.

²⁵ *Id.*



112. [REDACTED]

“Friend” Adding Features

113. Snapchat users can connect with “friends” on Snapchat in multiple ways, including through the “Find Friends” feature (previously called “Quick Add”). Find Friends connects users who may not know each other in the real world, even when users are not seeking those connections.

114. Find Friends has connected minors with adult strangers seeking to groom, harass, exploit, and even assault them, or to sell them illegal drugs.

115. Adult strangers can target and connect with young users on Snapchat easily in numerous ways, including through searching and through Snapchat’s “Mention” feature. If a user merely “view[s] a Story that has a Snapchatter Mentioned in it, [they] can add that Snapchatter!”²⁶

116. Adults have groomed, harassed, exploited, assaulted, and sold illegal drugs to minors they connected with on Snapchat because of Snapchat’s recommendations and friend-adding features. For example, in May 2023, a man from Navarre was sentenced to 20 years in

²⁶ *How to Add Friends on Snapchat*, SNAP INC., <https://perma.cc/6496-EXY2>.

federal prison for using Snapchat to request and obtain child pornography from seven minor female victims in return for electronic cigarettes, alcohol, and marijuana.²⁷

117. Snap says it has attempted to make it more difficult for predators and drug dealers to find minors on Snapchat. Snap touted these changes and claimed they made Snapchat safe for young users. In this way, Snap sought to give consumers the impression that strangers could not easily target minors on Snapchat, when Snap knew or should have known that was not the case.

118. In 2022, Snap claimed that it made it “impossible to add users under 18 unless there are a certain number of friends in common.”²⁸ Last year, Snap tried again, saying it would “prevent delivery of a friend request altogether when teens send or receive a friend request from someone they don’t have mutual friends with, and that person also has a history of accessing Snapchat in locations often associated with scamming activity.”²⁹ But it is still possible for predatory adults to find minors on Snapchat, and Snap knows that.

Snap Map

119. Snap Map can display users’ locations in real time. Predators and drug dealers use this feature of Snapchat to locate minor victims. Young people also can locate drug dealers on Snap Map, where the dealers post their menus and prices, to buy and arrange delivery of illegal drugs.

120. [REDACTED]

[REDACTED], Snap also previously offered Ghost Trails on Snapchat+, its

²⁷ Press Release, U.S. Attorney’s Office, Navarre Man Sentenced to 20 Years in Federal Prison for Child Exploitation Crimes (May 23, 2023), <https://perma.cc/NHA7-EMXK>.

²⁸ Sara Fischer, *Snapchat making it harder for strangers to find users under 18*, AXIOS (Jan. 18, 2022), <https://perma.cc/P9W9-ZJHE>.

²⁹ *New Features to Help Protect Our Community*, SNAP INC. (June 25, 2024), <https://perma.cc/D3U6-UX3S>.

subscription-based service. Ghost Trails showed users their friends' movements for the prior 24-hour period.

121. Snap tells parents in its Parent's Guide: "By default, location-sharing is off for all Snapchatters. They have the option to decide to share it on the Map with friends—but never with strangers."³⁰

122. This is false, deceptive, and misleading. Young users can and do form connections with adult strangers they have not met in real life through Snapchat because of Snapchat's ill-designed features. Once that happens, it is a simple matter for those strangers to find young people on the Snap Map, and vice versa.

123. Additionally, when users submit snaps to "Our Story," they are sharing them with the broader community, not just their friends. Those snaps may show up on the Snap Map.

124. The ease with which strangers can follow and find each other in real time on Snap Map is unfair and dangerous to young people. It is not a feature consistent with Snap's age ratings and other public representations.

Ephemeral Messaging

125. Snapchat's baseline ephemerality, described at greater length above, also deprives law enforcement of critical evidence to pursue charges against ill-meaning adults who prey on young people on and through Snapchat. A drug dealer, for example, can find a teen on Snapchat and sell him or her a lethal fentanyl-laced pill, but when the teen dies and the messages are deleted from Snap's servers, law enforcement has nothing from Snapchat connecting the dealer with the teen's death.

³⁰ *Parent's Guide: Snapchat's Family Center* at 3, SNAP INC. (July 2022), <https://perma.cc/L29J-7D36>.

126. Minors use Snapchat for sexting as well as exchanging content featuring underage alcohol and drug use. Predators target young people for sextortion scams, drug deals, and grooming, knowing that Snap will erase from existence the illicit material they exchange. Snapchat’s ephemerality gives young people a false sense of security in engaging with other users—even strangers—up to and including feeling less inhibited to seek illicit drugs or share nude images of themselves.

127. In reality, as Snap knows, methods exist that permit predators to take screen shots or otherwise save in perpetuity “disappearing” content without their targets’ knowledge. This content can then be, and is, used to extort young people, pressure and coerce them into sending more explicit material, or illicitly store their images or sell them to pedophiles, among other things. This is a particular problem for Snapchat. [REDACTED]

[REDACTED]

[REDACTED]

128. Snapchat also features a “My Eyes Only” option to keep snaps “extra private!”³¹ Snaps saved in My Eyes Only are protected by a passcode, and Snap itself cannot access them. The feature encourages youth to hide problematic snaps from their parents and enables predators to retain illicit content—including child sexual abuse material—away from even Snap itself.

F. Snap’s Deceptive Claims and Omissions About the Family Center

129. In an effort to deflect from the many dangers associated with using Snapchat, Snap has touted parental controls that it makes available in its Family Center. For example, Snap tells parents that the company “take[s] [it]s responsibility to help provide teens on Snapchat extremely seriously” and claims that through the Family Center it “arm[s] parents with tools and resources

³¹ *How does My Eyes Only work?*, SNAP INC., <https://bit.ly/4cJjrqs>.

to help their teens use Snapchat safely.”³² Snap also markets the Family Center as a set of “tools and resources to help [parents] support their teens’ safe use of Snapchat.”³³ Such statements are deceptive and contain material omissions; despite Snap’s claims to the contrary, the Family Center fails to provide parents with tools that could be used to mitigate the risks and harms of Snapchat use described above.

130. Only 0.3% of parents with teens who have Snapchat accounts have set up parental controls through the Family Center. [REDACTED]

[REDACTED] Snap has also designed the Family Center parental controls to make them extremely burdensome for parents to use. A parent who wishes to use Family Center parental controls must download the Snapchat app onto his phone, set up his own Snapchat account, and request permission from the child to link the parent’s account with the child’s account— [REDACTED]. Once Family Center controls are set up, the parent must remember to regularly check the app to monitor the information provided there, [REDACTED]

131. Even when parents successfully set up and monitor Family Center parental controls, these limited controls fail to protect teens from the myriad dangers of using Snapchat. Family Center functions are largely limited to allowing parents to see who their teen is “friends” with on Snapchat and who they have been communicating with. But this information does not illuminate much, given the sheer number of “friends” teens connect with on Snapchat. The Family Center gives parents no insight into their teens’ exposure to harmful or inappropriate material like nude

³² *Tools and Resources for Parents*, SNAP INC., <https://perma.cc/6LNR-GDF6>.

³³ Snapchat, *Introducing Snapchat’s Family Center*, YOUTUBE (Aug. 9, 2022), <https://bit.ly/4IK1Ju3>.

images or drug content, no ability to set privacy controls for their teens, no ability to set time limits for their teens, and no ability to discern when their teens bypass parental controls by, for example, using secondary accounts. Moreover, teens, who are often more familiar with technology than their parents, can easily evade even the limited parental controls that are available in the Family Center.

V. Snap’s Unfair Practices, Deceptive Statements, and Omissions Cause Substantial Injury to Florida Consumers.

132. Snap’s deceptive statements and omissions and unfair practices cause substantial harm to Florida consumers.

133. Just as parents might determine which movies are appropriate for their children based on the “rating” a movie receives, parents also 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.

134. Snap’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 “unseen.” Similarly, once a young person experiences a harmful or dangerous feature or interaction, the effects can be long-lasting.

135. Snap knows that parents care about what their teens will be exposed to on Snapchat. Snap’s misrepresentations seek to prevent parents who are unfamiliar with Snapchat’s addictive features and the harmful content it hosts from developing such concerns. They seek to convince parents that Snapchat is safe for their teens, so they will download Snapchat and allow their teens to do so.

136. Consumers, particularly parents, also care whether an app is addictive and could lead to compulsive or otherwise harmful use, particularly where such use immerses young people

in content and interactions that can lead to or worsen mental health concerns, disordered eating, and other harmful conditions and behaviors.

137. Parents also care about safety and parental-control features and tools. Parents who seek to use these controls expect them to do what Snap says they will do—help them keep their teens safe on Snapchat.

CAUSES OF ACTION

COUNT I Violation of H.B. 3

138. All the foregoing paragraphs are incorporated by reference.

139. Snap is a “social media platform” within the meaning of H.B. 3 and subject to regulation under that statute. § 501.1736(1)(e), Fla. Stat

140. Snap has openly and admittedly violated H.B. 3’s restriction on covered social media companies entering into contracts with children under the age of 14.

141. Snap has openly and admittedly violated H.B. 3’s restriction on social media companies entering into contracts with children aged 14 or 15 without parental consent.

142. Each knowing violation of H.B. 3 constitutes an unfair and deceptive trade practice under FDUTPA. § 501.1736(5), Fla. Stat.

143. The Court should enjoin Snap from continuing to violate H.B. 3.

144. The Court should assess penalties in the amount of up to \$50,000 for each violation in accordance with § 501.1736(2)(b)(5), Fla. Stat.

145. The Court should assess punitive damages for Snap’s “failure to comply” and “consistent pattern of knowing or reckless conduct.” *Id.*

COUNT II

Violation of the Florida Deceptive and Unfair Trade Practices Act

146. The allegations in paragraphs 1 through 137 are incorporated by reference.

147. Snap's promotion, marketing, and advertising of Snapchat in the State of Florida involves trade or commerce within the meaning of FDUPA, which states that "[u]nfair methods of competition, unconscionable acts or practices, and unfair or deceptive acts or practices in the conduct of any trade or commerce are hereby declared unlawful." § 501.204, Fla. Stat.

148. Snap engages in unfair practices that offend public policy and are immoral, unethical, oppressive, unscrupulous, or substantially injurious to consumers.

149. Snap's unfair acts include but are not limited to Snap's choice to design Snapchat to include features known to promote compulsive, prolonged, and unhealthy use by children.

150. Snap's acts and omissions alleged in this Complaint also have caused and continue to cause substantial injury to children and other users of Snapchat that could not be reasonably avoided by consumers and does not result in any countervailing benefit to consumers or competition.

151. In connection with the advertising, marketing, and promotion of Snapchat, Snap made and continues to make deceptive representations to the public that are likely to mislead consumers acting reasonably under the circumstances. These include, but are not limited to, Snapchat's "12+" and "T for Teen" age ratings, as well as Snap's claims that profanity, sexual content, drug content, and other mature content on the Snapchat platform is "Infrequent/Mild." Snap knew or should have known that the deceptive statements alleged in this Complaint were false.

152. In connection with the advertising, marketing, and promotion of Snapchat, Snap made and continues to make deceptive omissions to the public that are likely to mislead consumers

acting reasonably under the circumstances. These include, but are not limited to, Snap's failure to disclose the fact that Snapchat is designed to promote behavioral addiction, that it hosts large amounts of sexualized, drug-related, and other mature content, and that it can be easily used to purchase drugs and engage in other dangerous activities.

153. Snap engages in representations, acts, practices, or omissions that are material and are likely to mislead consumers acting reasonably under the circumstances.

154. Snap knew or should have known that its conduct was unfair or deceptive.

155. Consumers are suffering, have suffered, and will continue to suffer substantial injury as a result of Snap's violations of FDUTPA. Absent injunctive relief by this Court, Snap is likely to continue to injure consumers and harm the public interest.

TRIAL BY JURY

156. The Attorney General demands a jury trial.

PRAYER FOR RELIEF

Wherefore, the Attorney General requests that the Court:

- A. Enter judgment in favor of the Attorney General and against Snap;
- B. Declare that Snap's actions violate H.B. 3 and FDUTPA;
- C. Temporarily and permanently enjoin Snap to prevent future violations of H.B. 3 and FDUTPA;
- D. Award civil penalties and attorney's fees under H.B. 3 as authorized by § 501.1736, Fla. Stat.;
- E. Award punitive damages for Snap's knowing violations of H.B. 3 as authorized by § 501.1736, Fla. Stat.;
- F. Award civil penalties and attorney's fees for Snap's willful violations of FDUTPA

under §§ 501.2075, 501.2077, Fla. Stat.;

G. Order that Snap pay court costs and all costs associated with distributing and executing on any restitution or judgment made by this Court, *id.*; and

H. Grant such other and further legal or equitable relief as justice requires.

Respectfully submitted,

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