

NEW MEXICO KIDS CODE



Every day children are using a digital world that is designed by and for adults, where they are nudged to give up their privacy, offered harmful material, and exposed to risky contacts and behaviors. To protect New Mexico youth's privacy and safety online, the New Mexico Legislature should pass the New Mexico Kids Code to make the digital world safe for children. Data protection regulation has the power to change the way digital products are designed and therefore minimize harm to children before they are put in risky situations online. New Mexico has the opportunity to lead the way.

Protecting New Mexico's Youth from the Dangers of the Internet

New Mexico teens are spending a significant amount of time in front of a screen. Data-driven services are ubiquitous in today's world and make modern life much easier in a number of ways. However, those "free" online products are not actually free, but are designed to gather and share consumers' personal data. This personal data is shared in ways that create profit for the business, but can negatively impact the safety and wellbeing of children.

81%

of 14 to 22-year-olds say they used social media either "daily" or "almost constantly"

A Centers for Disease Control Study on Screen Time Patterns Among Rural Mexican-American Children on the New Mexico-Mexico border found that 62.4 percent of interviewed families let their children use smartphones. Furthermore, despite homework being the most common reason, **one in three** of the children studied used their devices for **social media**.

Of the top 100 free apps for kids in Google Play

1 in 3

have banner ads, including ads for adult content.

Current online features also "nudge" children into **risky behaviors**, expose them to predators, use dark patterns to recommend harmful material, encourage compulsive behavior, and enables, facilitates or promotes excessive information sharing, bullying, self-harm, eating disorders, sexual or substance abuse, and other potential harms.

75%

of the top social media platforms use AI to recommend children's profiles to strangers


These features are routinely built into a system designed by adults for use by adults, leaving children struggling to cope online. Depression, suicidal ideation, and other mental health issues are already high among New Mexico teens. Their time spent online has the potential to increase these issues.

Creating the Internet New Mexico's Youth Deserve

The New Mexico Kids Code flips the script by placing the responsibilities on tech companies, instead of parents and teens. We know parents and teens are doing their best when it comes to social media. The harms that occur are not due to their irresponsibility, but rather are the result of intentional design features and use of personal data. As a result, the New Mexico Kids Code does not simply provide additional parental controls or tools for users. Rather it acknowledges that these companies' profit models incentivize designs that are harmful to children and teens and requires that these companies assess and revise their products and services under a new duty of care model.


In order to accomplish this, the New Mexico Kids Code is comprised of Age-Appropriate Design standards that would apply to all digital products and services that are reasonably likely to be accessed by children and teens. These core standards provide privacy and safety by design by: restricting data collection, sharing, profiling and the use of data in ways that are detrimental to children and teens; requiring high privacy settings be turned on by default; and, requiring companies take a risk-based approach to mitigating or eliminating the risk of harm stemming from their online services and products.

Support for the New Mexico Kids Code



"My daughter almost died from and will always be affected by the eating disorder fueled by online content. Social media companies are aware of and profiting from pro AN websites and doing nothing. They are making billions from the suffering of our children. Please help, not one more child needs to fall victim."

Mother from **La Cruces, NM** on why she supports the AADC



"When restrictions were imposed on the automotive industry, it did not inhibit innovation. It made the product better. This too is possible in our industry. I've done it as a CEO of Blue Fever and I know countless other tech founders who are designing with data and data privacy, mental health in mind from the beginning. Please don't let Big Tech mislead you that this will crush our industry. Passing this bill will encourage the industry to do what we do best: innovate."

Greta McAnany, New Mexico Resident
and CEO/Co-Founder of Blue Fever

Get Caught Up on Last Year's Effort:

- [Bill to protect children's online privacy passes first committee](#), article by Nicole Maxwell
- [Regulation can protect children online](#), op-ed by Senator George Muñoz
- [Push for sweeping child digital privacy laws picks up steam](#), article by Austin Jenkins

For Further Information:

- See our website: <https://newmexicokidscode.com/>
- Coalition Outreach: Hailey Fortin - haileynmaadc@gmail.com