



DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA

JOSH GREEN, M.D.
GOVERNOR

ANNE LOPEZ
ATTORNEY GENERAL

News Release 2023-08

**ATTORNEY GENERAL LOPEZ AND OFFICE OF CONSUMER PROTECTION SEEK
COURT ORDER FOR TIKTOK TO COMPLY WITH INVESTIGATION**

FOR IMMEDIATE RELEASE

March 6, 2023

HONOLULU, HI – Amid the youth mental health crisis affecting Hawai'i and the rest of the country, the State of Hawai'i—through Attorney General Anne Lopez and the Hawai'i Office of Consumer Protection's Executive Director Mana Moriarty—today joined 46 states in asking a state court to order social media company TikTok, Inc. to fully comply with an ongoing investigation into whether the company violated consumer protection laws.

As part of the multistate investigation, the states seek to review internal TikTok communications to determine whether the company engaged in deceptive, unfair, and unconscionable conduct that harmed the mental health of TikTok users, particularly children and teens.

Despite the request for these communications falling squarely within the investigative authority of the state attorneys general and the Office of Consumer Protection, the states assert that TikTok repeatedly and knowingly failed to preserve relevant information and failed to provide internal communications in a useful format. For example, TikTok employees use an instant messaging service called Lark as their primary mechanism to communicate internally, but TikTok failed to preserve communications and provide them in a useable format. They have instead continued to allow employees to send automatically deleting messages over the Lark platform since the start of the investigation and have provided messages to the states in a format that is difficult to use and navigate.

Attorney General Lopez states:

“The use of social media platforms is a significant contributor to the ongoing youth mental health crisis affecting our keiki, particularly among our girls and young women. I have grave concerns about TikTok’s role in this crisis, and TikTok’s refusal to comply in good faith with an investigation involving a bipartisan coalition of all 50 states, only causes my concerns to deepen. TikTok should be held accountable.”

Executive Director of the Office of Consumer Protection Mana Moriarty states:

“TikTok is actively choosing not to use tools that may help prevent mental health issues associated with excessive use of the platform. And now TikTok is attempting to delay a bipartisan multistate investigation into what it knew, and when it knew it. It’s past time that TikTok should be held to account for its conduct.”

Peer-reviewed research shows social media platforms, especially image- and video-based platforms like TikTok, are playing a substantial role in harming youth mental health. In February, the Centers for Disease Control and Prevention [released findings demonstrating](#) a startling increase in challenges to youth mental health, youth experiences of violence, and suicidal thoughts and behaviors among teenagers, especially teenage girls. This includes a finding that nearly one-third of teen girls seriously considered suicide in 2021, a nearly 60% increase from a decade prior. Other peer-reviewed research shows increased teen social media use is a significant driver of this crisis.

The attorneys general and the Hawai‘i Office of Consumer Protection involved in the multistate investigation have a duty to protect the people of their states from illegal business practices, and TikTok’s failure to preserve and share relevant internal communications hampers the investigation. The filed brief therefore requests that the court compel TikTok to provide the information sought.

Others joining Attorney General Lopez and the Hawai‘i Office of Consumer Protection on the amicus brief are the attorneys general from Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Utah, Vermont, Virginia, Wisconsin, and Wyoming.

A copy of the brief may be found [here](#).

* * *

Media Contact:

Dave Day
Special Assistant to the Attorney General
(808) 586-1284
Email: ATG.PIO@hawaii.gov
Web: <http://ag.hawaii.gov>

William Nhieu
Communications Officer
Department of Commerce and Consumer Affairs
(808) 586-7582
Email: wnhieu@dcca.hawaii.gov