



Safer Devices for Kids Act

The Safer Devices for Kids Act mandates that smartphones and tablets default to safety, turn safety settings to “ON,” upon activation for minors, and allows for civil action if manufacturers fail to comply.

The Problem:

Virtually all devices have filters, but they are automatically switched to “OFF” when the device is activated. As a result, children and unsuspecting people are vulnerable to unwanted or damaging exposure to hardcore pornography.

The National Center on Sexual Exploitation (NCOSE) reviewed over 100 academic studies on the negative impacts of pornography consumption, which often includes incest, racism, and extreme violence themes. Pornography harms the brain, particularly for those still neurologically developing, and fuels addiction. This material can ruin lives, and children are at most risk. This evidence should inform state telecommunications policy.

Smart devices already have filtering capabilities and parental control software available on devices, but they are overly complicated for parents and guardians to navigate. Through the status quo of defaulting filtering technology to “OFF,” devices leave the most vulnerable in society particularly at-risk to online harms, such as children without tech-savvy, highly involved, caregivers.

The Solution:

- This legislation requires Operating Systems on smart phones and tablets automatically set filtering technology to “ON”—instead of “OFF”—upon activation when a device is activated for minors.
- Activation processes use existing technology to determine whether the user is a minor. If a device is activated by an adult, the filter will remain OFF.
- The legislation is not burdensome: it does not restrict adult access to pornography and encroach on free speech. When devices are activated by adults, for adults, the filter will never be activated.
- By placing filter activation on the device itself, instead of the network, the filter protects minors online wherever the device is used.
- This model legislation recognizes the serious harm to children that can result from online pornography exposure and allows the government to encourage the use of filters while empowering parents to determine what material is appropriate for their children by giving them the ability to turn the filter off and on through a password.
- Parents, guardians, and state’s attorney generals will be able to bring civil actions against manufacturers of devices that do not comply with the law.

Key Takeaway: We can protect children from exposure to harmful material online while not restricting adult access to pornography and overburdening the first amendment’s right to free speech.