



STATE OF NEW MEXICO v. META

The Legal Claims, the Verdicts, and the Path to Reform

A Case Briefing on Protecting Children from Online Sexual Exploitation

December 2023 – August 2026



EXECUTIVE SUMMARY

New Mexico sued Meta in December 2023 under the Unfair Practices Act and for public nuisance, alleging Meta's own design choices and deceptive statements, not user content, exposed children to a host of harms, including sexual exploitation. After a two-phase trial the state has been awarded a judgment worth \$942 million that includes five years of mitigation. This is the first time a social media company has been held financially and structurally accountable for products that endanger children.

2 Claims

Legal claims – UPA and Public
Nuisance

\$942M

Total penalties and
abatement fund

5 Years

Of supervised reform

PART ONE

The Legal Claims

Building a case on Meta's own illegal CONDUCT, not content moderation

What the State Alleged (Among Other Things)

Deceptive safety claims

Meta publicly represented its platforms as safe for children despite repeated internal warnings from its own employees and outside child-safety experts.

Algorithms that steered minors toward harm

Recommendation systems actively directed child accounts toward sexually explicit material, predatory adults, and networks trading in exploitative content.

No effective age verification

The absence of meaningful age checks let adults locate, contact, and solicit children with little friction or accountability.

Addictive, engagement-optimized design

Features built to maximize engagement caused foreseeable harm to children's mental health, with no benefit to users.

Public Nuisance — and Why Section 230 Didn't Apply

THE PUBLIC NUISANCE CLAIM

The State sought abatement, not just damages — asking the Court to treat Meta's platforms as an ongoing danger to New Mexico's children that could be ordered to stop, not merely compensated for.

Brought under NMSA 1978 § 30-8-81 and New Mexico common law, this claim became the legal basis for the five years of court-ordered platform reforms.

OVERCOMING SECTION 230

Section 230 shields platforms from liability for hosting third-party content — so the complaint deliberately did not sue Meta as a publisher.

Instead, the State targeted Meta's own “deceptive, unfair, unconscionable, unreasonable, and unlawful conduct in designing and maintaining its products.”

PART TWO

The Verdicts

Two trials, two findings, and what they mean for New Mexico

A Two-Phase Trial Before Judge Bryan Biedscheid

PHASE 1 — JURY TRIAL

Verdict on the UPA Claims

- Jury found Meta liable under New Mexico's Unfair Practices Act
- 75,000 separate violations found, at the maximum penalty of \$5,000 each
- Resulting civil penalty: \$375 million

PHASE 2 — BENCH TRIAL

Ruling on Public Nuisance

- Court ruled Meta's platforms constitute a public nuisance in New Mexico
- Rejected Meta's claim that Section 230 shields it from liability
- First ruling holding a social media company accountable for products it knowingly designed

\$942 Million for New Mexico's Children

\$375M

Civil penalty
(jury verdict, Phase 1)

+

\$567M

Youth mental health
remediation (Phase 2)

+

\$942M

Total ordered against
Meta in New Mexico

"Meta built products it knew would fuel addiction, deepen a youth mental health crisis, and expose children to sexual exploitation, then lied to parents and policymakers about the danger. Today, it pays for that choice."

— Attorney General Raúl Torrez

Five Years of Court-Supervised Reform

- Rigorous age verification for New Mexico users

- Enhanced sextortion and exploitation safeguards

- No overnight push notifications for users under 18

- Mandatory time-use limits for users under 18

- Statewide public education campaign funding

- Strengthened protections for Teen Accounts

- Blocked minors from sending/receiving nude images

- Default privacy protections, including hidden like counts

- Prominent, required risk disclosures to users

- Semiannual public compliance reporting to the Court

Note: The Court stopped short of mandating hard age-verification, citing judicial restraint — leaving that policy choice to the Legislature.

PART THREE

The Legislative Path Forward

Turning a courtroom win into state law

Turning a Courtroom Win into State Law

Recommendation 1

Comprehensive Social Media Safety Bill

Legislation should be brought to the New Mexico Legislature mandating age verification into law — not just a court order.

Recommendation 2

Overhaul of Consumer Protection Laws

A top-to-bottom update to match the scale of harm the modern digital economy causes children and consumers.

Recommendation 3

A Call to Congress and Other States

New Mexico's verdict is offered as a blueprint; bipartisan momentum already exists nationwide for age-verification laws.



*“New Mexico led the way in the courtroom.
Now we have an opportunity to lead the way in the Capitol.”*

— Attorney General Raúl Torrez
