

AMBIKA KUMAR*
ambikakumar@dwt.com
DAVIS WRIGHT TREMAINE LLP
920 Fifth Avenue, Suite 3300
Seattle, WA 98104
Telephone: (206) 622-3150

ADAM S. SIEFF*
adamsieff@dwt.com
DAVIS WRIGHT TREMAINE LLP
865 South Figueroa Street, 24th Floor
Los Angeles, CA 90017
Telephone: (213) 633-6800

DAVID M. GOSSETT*
davidgossett@dwt.com
CHELSEA T. KELLY*
chelseakelly@dwt.com
DAVIS WRIGHT TREMAINE LLP
1301 K Street NW, Suite 500 East
Washington, DC 20005
Telephone: (202) 973-4200

ROBERT CORN-REVERE*
bob.corn-revere@thefire.org
FOUNDATION FOR INDIVIDUAL
RIGHTS AND EXPRESSION
700 Pennsylvania Avenue SE, Suite 340
Washington, DC 20003
Telephone: (215) 717-3473 Ext. 209

DAVID RUBIN*
David.Rubin@thefire.org
FOUNDATION FOR INDIVIDUAL
RIGHTS AND EXPRESSION
700 Pennsylvania Avenue SE, Suite 340
Washington, DC 20003
(215) 717-3473 Ext. 283

JEROME H. MOONEY (Utah Bar #2303)
jerrym@mooneylaw.com
WESTON, GARROU & MOONEY
50 West Broadway, Suite 300
Salt Lake City, UT 84101
Telephone: (310) 442-0072

Attorneys for Plaintiffs
**Admitted Pro hac vice*

UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

HANNAH PAISLEY ZOULEK, a Utah resident; JESSICA CHRISTENSEN, a Utah resident; LU ANN COOPER, a Utah resident; M.C., a Utah resident, by and through her parent, LU ANN COOPER; VAL SNOW, a Utah resident; and UTAH YOUTH ENVIRONMENTAL SOLUTIONS, a Utah association,

Plaintiffs,

v.

KATIE HASS, in her official capacity as Director of the Utah Dept of Commerce Division of Consumer Protection; SEAN REYES, in his official capacity as Utah Attorney General,

Defendants.

DECLARATION OF JESSICA CHRISTENSEN IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Case No. 2:24-cv-00031-DAK-DAO

Judge Dale A. Kimball

Magistrate Judge Daphne A. Oberg

I, Jessica Christensen, declare as follows:

1. I live in Utah with my husband and three children.
2. I was raised in an abusive polygamous home where I was denied an education and forced to work instead. As a child, I was groomed to marry my 42-year-old uncle. I attempted to run away many times and, ultimately at 15 years old, I was finally free from being a child bride.
3. After fighting for my future and spending time in the foster care system, I was able to complete my high school education and earn an associate's degree in behavioral science with an emphasis in psychology, a bachelor's degree in behavioral science with an emphasis in social work, and a master's degree in social work. I was inspired to work in social work because I wanted to help others recovering from trauma and to advocate for at-risk populations, especially children and teens.
4. I have been working in the field of social work for about 14 years. I started my work in advocacy for children to be heard and believed. I have worked with the Department of Children and Family Services ("DCFS") and children in the courts, and with a counseling center for adults and children. I have also worked for a mobile crisis team in Texas, serving adults and children in the county with varying backgrounds and issues. My family and I moved back to Utah in 2020, where I started working as a community crisis social worker. In this role, I counsel patients from many different demographics, including many at-risk youths in states of crisis, and refer them to resources. I also started my own social work practice this past year, with a goal of increasing access to mental health resources to youth.
5. Over the years, I have also used my education and training to advocate for individuals who want to leave abusive polygamous homes. I participated in a documentary called *Escaping Polygamy* and co-founded an organization called Hope After Polygamy, which connects individuals leaving these communities with educational resources.

6. Partly because of this work, many teens and adults from polygamous communities have contacted me for support or information using social networks. I have helped about 30 individuals (including about 10 minors) escape from abusive polygamous homes or child marriages after they contacted me through Facebook or Instagram. In total, I would estimate that over 100 individuals (including about 30 minors) have contacted me over Facebook or Instagram seeking support, information, or resources.

7. One of the first people who reached out to me over Facebook for help was my brother. When I was about 19 years old and living with my adopted family, my 14-year-old brother messaged me on Facebook from within my former community—seeking help in escaping abuse. I tried to encourage him to go through the foster care system, but sadly, the court system failed him and he ended up back in the community. He was able to leave years later after enduring more unnecessary abuse, and the injustice of that delay motivated me to advocate for teens' and children's rights to prevent this from happening again.

8. Later, my half-sister, Allison Eames, corresponded with me via Facebook when she was 16 to seek help in escaping both a planned forced marriage and our abusive father, who served time in prison for nearly beating to death one of his other daughters. I was able to help Allison leave her abusive home, after which she was adopted by Plaintiff Lu Ann Cooper.

9. Similarly, my cousin, Michelle Michaels, messaged me over Facebook for a few months seeking support and information in deciding whether to leave the community, where she was experiencing abuse and anticipating a forced underage marriage. When Michelle decided, at age 17, that she wanted to leave, I helped her become emancipated.

10. I have also spoken with other teens over social networks who ultimately decided not to leave polygamous communities, but just wanted to speak with me for moral support to get

advice to navigate their struggles, while remaining in the community, or to ask questions about life outside the community. Teens who grow up in the community in which I was born are taught from a young age that anyone who leaves the group is condemned to a life of poverty and drugs, so it was useful for those still in the community to be able to see the photos that I posted on my social network account of my life, family, and career, to debunk these myths.

11. In addition to individuals from my former community, I have been contacted by teens and adults from all over Utah and the country—many of whom are familiar with me from the documentary *Escaping Polygamy*—who reached out to seek support or to say that my story gives them hope. Social networks are the only way that these individuals could have contacted me, as I do not publicize my personal phone number or email address.

12. If the Utah Minor Protection in Social Media Act (the “Act”) had been in effect, many of these individuals would not have been able to contact me. The Act prohibits minors and non-age-verified individuals from sending direct-messages to, or receiving direct-messages from, accounts they are not connected to. Most of the individuals who reach out to me for help or information over social networks from within the polygamous community do not “friend” or “follow” me on Facebook or Instagram, because doing so could raise suspicions that they are considering leaving the community. Additionally, it is very unlikely that minors in these situations would be able to obtain parental permission to override this restriction under the Act because social network use is strongly discouraged in polygamous communities.

13. Even adults contacting me from inside polygamous communities may face this restriction on direct-messaging (and the other restrictions imposed under the Act) because they would not be able to comply with the Act’s age-verification requirement. Some polygamous

families withhold birth certificates, social security numbers, and other government IDs from both minors and adults (especially women) as a means of control.

14. In addition to polygamous communities, many other at-risk youths whom I engage with as a social worker would similarly be affected by the Act's age-verification requirement. For example, undocumented teens would not be able to provide valid government ID credentials. Young people fleeing domestic violence may not feel comfortable disclosing their identities to technology companies out of fear that their abusers might be able to track them down. In my experience, some of these individuals even change their identities to prevent their abusers from locating them. Other at-risk youths, such as foster children or LGBT youths, may not be able to obtain parental consent to override the most restrictive portions of the Act—such as the ability to share content and direct-message beyond existing connections. According to my research, about 20% of the unhoused population in Utah is under 18 years old and needs to use social networks to navigate their resources. Not all youth have safe adults in their lives.

15. If the Act takes effect in October, these already-vulnerable communities would become further isolated and oppressed. If they post something on social networks—such as a cry for help or a request for information or resources—no one will be able to see it except for the people with whom they are already connected (some of whom may be their abusers). They will be unable to direct-message not only me, but also non-profits and other resource-providers that could have helped them. And more generally, they will be obstructed from accessing and participating in their local communities.

16. For example, my community uses Facebook to discuss issues such as housing, community activities, job opportunities, and public safety. Recently, for example, a Facebook group alerted me about a suspicious van in my neighborhood—allowing me to tell my children to

stay alert until the suspect was apprehended. Under the Act, both minors and those individuals who cannot or choose not to disclose sensitive age-verification data would be unable to comment, ask questions, or otherwise engage in important discussions like this—as no one will be able to see their content except for their current connections.

17. My husband and I have allowed our two oldest children to create private TikTok accounts under our guidance. We are aware of, and use, voluntary tools to manage our family's social network use. We have talked to our children about how to use social networks safely and to come to us with any questions or concerns. All three of my children use a curfew app on their phones, requiring them to power down at a certain hour, which I can extend if the family is staying up late. My children also use an app that monitors the amount of time that each of them spends individually on other apps.

18. My children get great enjoyment and educational tutorials from using social networks, as well as expand their creativity. I do not see any problem with allowing them access to this experience under our guidance. Under the Act, my children would not be able to use TikTok, YouTube, or certain other social networks because the interface of these apps relies on auto-play and continuous scrolling—two features that the Act prohibits for minor users. This provision of the Act cannot be overridden by parental consent. I find it very troubling that the Utah Legislature is trying to decide which products my children can use, instead of allowing me and my husband to do so.

19. Additionally, I see social network and internet usage as a necessary part of my children's development, as they are growing up in a digital world. I want them to be able to learn how to use these technologies in a healthy and productive manner, under my education and guidance, so that they are not overwhelmed as adults when they suddenly find themselves with

unrestricted access. Children need space to learn how to access information and regulate their emotions without fear of punishment. If children grow up thinking that they need permission from others in order to exercise their fundamental rights, then they may be more susceptible to abusive power dynamics in the future—such as a controlling romantic partner who insists on monitoring social network activity. I believe that it is dangerous to normalize such violating activity.

20. The Act would thwart my and my husband's abilities to make decisions for our children and our family. Each family and each child is different and may require a different, individualized plan for the best and safest use of social networks. In typical non-abusive households, I believe decisions about parental supervision and control of their kids' use of social networks are best left to parents to make individually for each of their children.

21. I also personally enjoy using social networks for a variety of purposes. For example, I follow current events, entertainment, and mental health resources on Instagram; communicate with friends and family on Marco Polo; and use YouTube, Spotify, and Pinterest for expression and entertainment—along with many others. In addition to causing problems, I do not believe that the Act will prevent the harms that it seeks to prevent. In my work and my life, I have seen children struggle with mental health problems, bullying, and predators even when they do not have any access to social networks. I also have seen some of the positive benefits of social networks for at-risk youth. In addition to allowing them a means to contact me and others if they are in crisis, I have seen instances as a social worker where minors' behavior on social networks has served the important function of alerting caregivers or authorities of concerns and prompting them to conduct wellness checks.

I declare under penalty of perjury that the foregoing is true and correct.

Signed in Utah this 31st day of May, 2024.



Jessica Christensen