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## **ACLU OF RI POSITION: OPPOSE**

### **TESTIMONY ON 26-H 7746, RELATING TO COMMERCIAL LAW – GENERAL REGULATORY PROVISIONS – RHODE ISLAND CHILDREN’S ONLINE SAFETY ACT April 8, 2026**

While we understand the reasoning behind this legislation, the ACLU of Rhode Island opposes this bill which would require age-verification to verify if social media users are under 18 to determine if increased restrictions should be in place. While the bill attempts to shield minors from online explicit content, in reality it imposes unnecessary burdens on all users’ ability to access internet spaces and express themselves freely online by requiring age-verification for access to social media accounts.

This legislation directs the Attorney General to create the process by which age is verified for all users. Besides this requirement, this bill does not outline procedures for how this would work in practice. Oftentimes, age-verification relies on either the user to input their date of birth or upload government-issued identification like a driver’s license or financial statements or other attestations. Both of these methods prove to be onerous for the user and ignore the very real privacy rights implicated in providing this information. If the age-verification mechanism chosen is either inputting the user’s birthdate or merely attesting that they are older than eighteen or thirteen, we foresee users easily circumventing these methods which would then require more intrusive methods of age-verification.

If the age-verification method then resorts to relying on government-issued identification, that assumes that every adult confirming their identity has current identification reflecting their correct name and address. This assumption is flawed, given that approximately 30 million adults in the United States do not have a valid driver’s license and that individuals with disabilities are less likely to possess a current driver’s license.<sup>1</sup> An estimated 21% of Black adults, 23% of Hispanic adults, and 68% of transgender people do not have a valid, accurate driver’s license.<sup>2</sup> Because of this, transgender individuals will be faced with the choice of using documents that do not reflect their current name and gender markers or lose access to platforms entirely.

In addition, the age-verification process that would be required to implement this law sets a dangerous precedent, leading to potentially significant privacy violations, including mandatory ID collections and facial scans. There is an inherent tension in ensuring a minor’s privacy and

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<sup>1</sup> <https://www.mapresearch.org/id-documents-report>

<sup>2</sup> *Id.*

requiring platforms to know information about every single platform user. If age-verification requires submitting sensitive information contained on IDs, financial statements, or other attestations, it is unclear who receives, controls, and retains that information and for how long. The same risks exist for location data, because the social media platforms would likely need access to location data to verify that users are in fact located in Rhode Island. Possessing all of this information opens the door for potential data breaches and the real possibility that the information could be mishandled or otherwise exposed.

We are also concerned about the potential impacts that restricting access to social media based solely on age-verification could have. The internet has become an essential space for young people to connect with peers, gather information, and find social support they may not have access to elsewhere. Social media acts as an extension of an individual's social life, meaning they can deepen social bonds with peers or even find a community of shared interests or experiences. We are also concerned that this legislation could impact the political activism and protest organizing that is increasingly occurring online. This impact is not limited solely to minors but will have broader consequences for all social media users. These systems are far from perfect and will inevitably block some adults from accessing lawful speech.

The ACLU of RI therefore urges rejection of this legislation. Thank you for considering our views.