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Meta's failure to prevent child sexual exploitation 'systemic,' expert testifies in US trial

By [Xu Yuan](#)

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[Meta Platforms](#) has failed persistently to take effective actions to prevent bad actors such as pedophiles and sexual groomers from taking advantage of children and teenagers on its platforms, despite its knowledge of the prevalence of the problem, a jury in New Mexico heard in an ongoing trial over online harms to young users.

Meta Platforms has persistently failed to take effective action to prevent bad actors such as pedophiles and sexual groomers from taking advantage of children and teenagers on its platforms, despite its knowledge of the prevalence of the problem, a jury in New Mexico heard in an ongoing trial over online harms to young users.

Over the years, Meta has internally identified the existence of inappropriate interactions between adults and children, including child sexual exploitation, on its platforms. “But did they have a pattern of actually addressing it when problems were pointed out? Could they quickly fix them? No,” Brian Levine, director of Manning College’s Cybersecurity Institute, testified

on Wednesday as an expert witness for the state, which brought the case against Meta.

“That tells me that this is systemic. It's what they built. It's their design and the systems that were there. It's not easily fixed,” he said.

Such practices “stand in stark contrast to” Meta’s public claim, including from CEO Mark Zuckerberg, that it had “zero tolerance” for child exploitation. “I don't believe that reflects the evidence that we've all discussed over the last two days,” the expert witness said.

The reason for the inaction was not technological challenge, Levine testified. “The safety options they had available, some of which they did later, are not advanced computer science. And even if they were, this is one of the most capable companies in the world.”

It was prioritization of growth and profit which led to the failure to protect children, he said. “In the end, I don't believe they made decisions that were independent of revenue, that put kids first, and they often just decided to put their heads under the sand.”

In many cases, Meta only acted after external pressure, he added.

Levine, who started his testimony on Tuesday, walked the jury through Meta’s internal discussions and exchanges to argue that the social media company was aware that its recommendation algorithms facilitate the spreading of “child exploited images,” or CEI. One document from 2020 showed that 500,000 [Instagram](#) underage accounts per day experienced inappropriate interactions with children, or IIC, in English-only markets.

Another document showed the company’s policy of a 17-strike threshold for prostitution and sexual solicitation.

“I don't know where they got the number 17, but it's, in my mind, awfully high for sex trafficking,” Levine said.

— WSJ exposé —

In 2023, Levine shared his research about Instagram’s safety issues with Wall Street Journal reporter Jeff Horwitz, leading to the publication of an article titled Instagram Connects Vast

Pedophile Network, describing how the platform helps connect and promote a vast network of accounts openly devoted to the commission and purchase of underage sexual content.

Following the June article, Horwitz wrote to Meta in September expressing doubts over Meta's promise that it would rectify its practices, noting the problems identified in his article had persisted months later.

"He was surprised that nothing had been done to address this even months later," Levine said.

"It led me to conclude that they had a system that they lacked control over," Levine said.

"They, in my opinion, prioritized growth to a point where they lost control of what they were doing and could not provide a safe environment for minors who they recruited."

After the article, Meta formed a child safety task force to address the problems identified by the article, Leslie Pope, a lawyer for Meta, pointed out to Levine in cross examination.

"Wouldn't you want a company like Meta to take seriously negative feedback that they get about their product, no matter the source, whether it's a reporter or a user or internally?" Pope asked.

It was "so easy" for himself and Horwitz to spot the problems, Levine said. "It took place in minutes, and it went on. And that's all it took. And they waited for that report to kick off this group. Why couldn't they have done it years before? It took them a Wall Street Journal article to do it," he said.

— Conflicts —

Efforts by Meta to address safety problems often conflicted with the company's pursuit for growth and profits, documents showed. In July 2021, Meta announced the rollout of privacy by default for accounts under 16. One employee commented: "holy shit. What's the rationale for the push? This will likely smash engagement, DAP, MAP, etc."

DAP stands for daily active persons, and MAP for monthly active persons.

This is another example of Meta "trying to balance the tension between safety and the concerns of product leadership," Levine said.

Later, the company encountered a “severe event” where they found a bug related to minors who are reporting interactions with adults related to child exploitation, grooming and sextortion. “I just have to wonder, would this [problem] have been as severe if private by default had been launched in the first place? This didn't need to happen,” he said.

Like this experience, which Levine said only happened “after a significant delay,” he repeatedly pointed out that Meta bought Instagram in 2012 but the problems persisted for several years after, and then Meta’s actions to address them also came late.

Pope showed the jury a timeline of the safety measures Meta implemented since 2012. It’s “something that doesn't require advanced computer science,” Levine said of the feature to set under-18 accounts to private by default.

“But that's what Meta did, right?” Pope said.

“That's what Meta did. I wonder why they didn't do it earlier,” Levine said.

— Industry practices —

Problems at issue aside, Pope suggested Meta is an industry champion in its effort to battle online harmful content, including child sexual abuse material, or CSAM.

Levine had even given Meta credit once in a podcast for making its site safer by checking for CSAM, she noted.

In 2019, [Apple](#), which owns iMessage, filed a total of 205 reports with the National Center for Missing and Exploited Children. “In contrast, Meta made millions of reports that year,” Pope said. Levine agreed that “Apple's numbers suggest that they're not looking.”

“And in fact, you believe that Apple has, for whatever reason, decided not to scan the cloud for illegal images,” Pope asked.

“Are you asking me who is winning the race to bottom?” Levine asked.

Similarly, Pope suggested Levine didn't compare Meta's age-verification system to that of any other social media company. "For all you know, Meta is best in the business at finding and removing people who are under 13, right?"

"They might be best of the worst. Who knows?" Levine said.

"In the six or so hours that you've been testifying today, you have not identified any company in the entire world that does a better job than Meta, right?" Pope asked.

"I don't think that's why I'm here today. I'm here to evaluate Meta on its own. They don't get a pass," Levine said.

— *MLex viewed the trial on Courtroom View Network.*

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