

March 21, 2023

Shou Zi Chew
Chief Executive Officer
TikTok Inc.
5800 Bristol Parkway, Suite 100
Culver City, CA 90230

Dear Mr. Chew,

We write you today to express deep concern over recent viral videos on your platform promoting and facilitating automobile thefts in our community. The spread of these viral videos on TikTok is directly correlated with a massive spike in automobile thefts in the City of Rochester, New York, and we urge you to take immediate action to more quickly remove these videos that have created a public safety crisis on our streets. While we understand that criminals and guardians of young offenders bear the largest responsibility for these crimes and are creating the public safety risk, your quick response to take down these videos could make a difference.

Theft of certain Kia and Hyundai vehicles surged across the country last year, directly following viral videos on your platform demonstrating how to quickly steal these cars using just a USB cord. The “challenge,” largely aimed at young teens, spread across TikTok with the hashtag “Kia Boys” and received more than 75 million views.¹ In the City of Rochester, there have been more than 775 incidents related to auto thefts so far this year, compared to 1,133 incidents in all of 2022.² According to the Rochester Police Department, out of the first 168 cars stolen this year, Kia and Hyundai vehicles accounted for almost 70% of the thefts.³

Law enforcement is already in desperate need of resources to combat an epidemic of gun violence in our community, and the spread of this dangerous content on your platform has exacerbated the problem. When these thefts occur, law enforcement resources are not only diverted to address the thefts themselves, but perpetrators of these crimes often use the stolen vehicles to commit additional crimes as well. Members of our community have previously written you to express concern over TikTok challenges that encourage violence in our schools, and TikTok’s inability to properly police its own platform in this case has yet again left our community vulnerable.

TikTok’s own Community Guidelines prohibit the posting of certain content by its users and promise that TikTok will remove content that violates the stated norms and common code of conduct. The Guidelines prohibit the posting of content consisting of “the promotion or facilitation of criminal activities,” and more specifically, “content that provides instructions on how to conduct criminal activities that result in harm to people, animals, or property.”⁴ Lax enforcement of these Guidelines, however, renders these promises meaningless.

¹ “Hyundai and Kia offer anti-theft software following TikTok challenge,” AXIOS, <https://www.axios.com/2023/02/14/hyundai-kia-car-thefts-software-update-tiktok>.

² ROCHESTER POLICE DEPARTMENT OPEN DATA PORTAL (accessed March 14, 2023), <https://data-rpdny.opendata.arcgis.com/pages/crime>.

³ “In Rochester, 200 auto thefts in 25 days: How to protect your Kia or Hyundai,” DEMOCRAT & CHRONICLE, <https://www.democratandchronicle.com/story/news/2023/01/31/kia-hyundai-thefts-on-the-rise-rochester-ny-how-to-keep-your-vehicle-safe/69840713007/>.

⁴ “Community Guidelines,” TIKTOK, <https://www.tiktok.com/community-guidelines>.

As you know, Section 230 of the Communications Decency Act limits the legal liability of internet companies, like TikTok, for user-generated content on their platforms. But precisely because of this advantage granted by Congress, TikTok has a moral responsibility to make a good faith effort to moderate dangerous content more effectively. We are disappointed that TikTok has yet to join us in these efforts.

We request a prompt response to this letter explaining what actions TikTok is taking to prevent this dangerous content from originating on its platform and how TikTok plans to better enforce its own Community Guidelines prohibiting the promotion and facilitation of criminal activities.

Thank you for your prompt attention to this critical matter.

Sincerely,



Joseph D. Morelle
Member of Congress



Todd K. Baxter
Monroe County Sheriff



David M. Smith
Rochester Police Department Chief