



www.studentprivacymatters.org
info@studentprivacymatters.org
[@parents4privacy](https://twitter.com/parents4privacy)

124 Waverly Place
New York, NY 10011
917-435-9329

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Thank you Chair Lee, Chair Joseph, and other members of these committees.

My name is Leonie Haimson, and I am co-chair of a national organization called the Parent Coalition for Student Privacy.

On Sept. 10, along with the NY Civil Liberties Union and AI for Families, we sent a letter to the Mayor, the Department of Education Chancellor, and the Commissioner of Health, expressing our deep concerns with the way in which Talkspace allows for the sharing of its users' personal information with unnamed third parties for marketing purposes in a manner that would be illegal if the contract was signed by the DOE rather than the Dept. of Health.¹ As you know, Talkspace has a \$26 million contract with the city to provide free online mental health services to teens.²

In our letter, we also pointed out that Talkspace has been criticized for its lax privacy policies by Massachusetts Senator Elizabeth Warren and other Senators, and also by users for delivering inconsistent and irresponsible services. Our letter was covered by Daily News, Chalkbeat, and others.³

On Sept. 23, the NYC Dept. of Health responded, arguing that they did not have to abide by the state student privacy law since they were not an education agency but assuring us that their contract was no less protective.⁴

Since we sent our initial letter, we discovered that when a NYC student visits the Teenspace website on their phone, their personally identifiable information is automatically shared with 15 ad trackers and 30 cookies, as well as Facebook, Amazon, Meta, Google, and Microsoft among others, which

¹ <https://studentprivacymatters.org/privacy-concerns-about-nycs-promotion-of-the-teenspace-online-counseling-service/>

² <https://www.nyc.gov/office-of-the-mayor/news/869-23/mayor-adams-dohmh-commissioner-dr-vasan-launch-teenspace-tele-mental-health-service-nyc>

³ See <https://www.nydailynews.com/2024/09/10/advocates-raise-alarm-about-privacy-with-nycs-teen-mental-telehealth-service/>, <https://www.chalkbeat.org/newyork/2024/09/10/privacy-advocates-raise-concerns-free-teletherapy-teens-data/>, <https://statescoop.com/privacy-advocates-nyc-teen-counseling-talkspace/>, <https://www.k12dive.com/news/talkspace-nyc-data-privacy-teenspace/727070/>

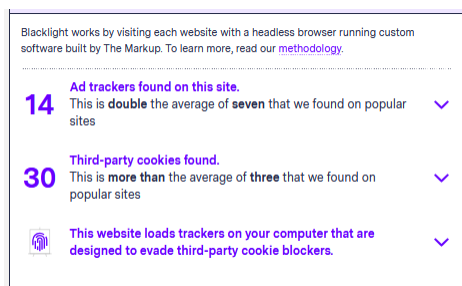
⁴ <https://studentprivacymatters.org/wp-content/uploads/2024/10/DOHMH-Teenspace-Response-Letter-9.23.24.pdf>

we saw from using the Blacklight privacy audit tool.⁵ Our discovery was later confirmed by a security company that does privacy audits.

We also learned that in California, a class action lawsuit has been filed against Talkspace, pointing out how the personal information of its clients is shared with TikTok, including the mental health information of minors.⁶ These findings are particularly concerning, given how the city is suing many of these companies for undermining children's mental health and designing their platforms to be addictive to maximize their revenues.⁷

On Oct. 16, we sent a follow-up letter to the Dept. of Health, asking for a meeting and for the Talkspace website to be immediately taken down until it is fixed to stop collecting and sharing children's personal information with ad trackers and social media companies.⁸ Yet even as DOH officials keep promising to meet with us, they keep putting it off.

I checked the Teenspace website again today and found that the website is still sharing personal with 14 ad trackers, 30 third-party cookies, and numerous social media companies.



We believe that the Department of Health should be required to cancel its contract with Talkspace immediately, and demand that they take their website down until these unacceptable disclosures are stopped.

The need to support children's mental health is critical but allowing their personal information to be shared and misused in this way risks further undermining it. Moreover, the Teenspace example provides evidence of how the city should not be outsourcing these crucial services to for-profit companies like Talkspace, and that the protection of student privacy must always be paramount.

Thank you for the opportunity to testify today.

⁵ <https://themarkup.org/blacklight>

⁶ <https://injuryclaims.com/news/class-action-privacy-data-and-tcpa/talkspace-data-sharing-lawsuit>

⁷ <https://www.nyc.gov/office-of-the-mayor/news/125-24/mayor-adams-lawsuit-against-social-media-companies-fueling-nationwide-youth-mental-health#/0>

⁸ <https://studentprivacymatters.org/wp-content/uploads/2024/10/NYCLU-PCSP-AIF-response-to-DOHMH-regarding-Teenspace-privacy-violations-2024.10.16.pdf>