**UNITED STATES DISTRICT COURT**
**FOR THE WESTERN DISTRICT OF TEXAS**
**AUSTIN DIVISION**

COALITION FOR INDEPENDENT TECHNOLOGY RESEARCH,

Plaintiff,

v.

GREG ABBOTT, in his official capacity as Governor of the State of Texas,

STEVEN C. MCCRAW, in his official capacity as Director and Colonel of the Texas Department of Public Safety,

AMANDA CRAWFORD, in her official capacity as Executive Director of the Texas Department of Information Resources and Chief Information Officer of Texas,

DALE RICHARDSON, in his official capacity as Chief Operations Officer of the Texas Department of Information Resources,

ASHOK MAGO, LAURA WRIGHT, LINDY RYDMAN, CARLOS MUNGUIA, MARY DENNY, MILTON B. LEE, MELISA DENIS, DANIEL FEEHAN, and JOHN SCOTT JR., in their official capacities as members of the Board of Regents of the University of North Texas System, and

MICHAEL WILLIAMS, in his official capacity as Chancellor of the University of North Texas System,

Defendants.

Civil Action No. 1:23-cv-783

**DECLARATION OF**
**DR. JACQUELINE VICKERY**

**DECLARATION OF DR. JACQUELINE VICKERY**

I, Jacqueline Vickery, declare:

1. I am a member of the Coalition for Independent Technology Research ("Coalition"), which is the plaintiff in this matter, and I am submitting this declaration in support of the Coalition's motion for a preliminary injunction. I have personal knowledge of the facts set forth herein and, if called to testify as a witness, I could do so competently under oath.

**Career and Background**

2. I am currently an Associate Professor of Media Arts at the University of North Texas ("UNT") in Denton, Texas. I was hired as an Assistant Professor in Fall 2012, after graduating with a PhD in Media Studies from the University of Texas at Austin. In Fall 2018, I was promoted to Associate Professor with tenure. I am a media scholar and qualitative researcher. My work focuses on how young people use digital and social media for informal learning, self-expression, and activism. I am particularly interested in issues of media literacy and equity and how they affect the policies that regulate young people's media practices—in other words, what rules govern the ways young people are allowed to interact with media, who makes these rules, and what impact they have, in practice. I also research the ways that youth are discussed and represented, particularly "moral panics" that instill fear about young people's digital media practices.

3. At UNT, I founded and co-facilitate the Youth Media Lab. The Youth Media Lab is a cross-disciplinary project designed to enable youth to access, analyze, evaluate, and create media that effects social change in their communities. It serves as a learning environment, research lab, and an instructional system for sharing knowledge and improving advocacy.

4. I have authored and co-authored several books. In 2017, I published *Worried About the Wrong Things*, a book about youth, risk, learning, and social media. In 2018, I co-authored *The*

*Digital Edge*, which focuses on how low-income youth of color navigate evolving social and technological changes. And in 2018, I edited an anthology, called *Mediating Misogyny*, about the intersections of digital technology, media, and gender.

5. My published work also discusses digital media privacy and surveillance; digital literacy and equity in after-school clubs; anonymity in meme production, blogs, and online forums; and issues of online femininity and gender performance. My work has been published in, among other venues, *Journal of Children and Media*; *Information, Communication & Society*; *Journal of Media Literacy Education*; *Equity & Excellence in Education*; *Journal of Adolescent & Adult Literacy*; and *Flow*.

6. I frequently present at national and international conferences, including the Association of Internet Researchers; the Console-ing Passions Feminist Media Conference, where I also serve as a Board Member; and the Society for Cinema and Media Studies.

7. In addition to my research, I teach a number of courses that focus on youth, digital media, gender, and literacy, including Digital Media & Society; Teen Media; Gender, Race & Digital Media; Media in a Global Pandemic; Researching Gen Z Media; Digital Literacies & Social Activism; Community Media Education; Social Media Strategies; Digital Media Studies (graduate-only); and Intro to Graduate Studies in Media Arts (graduate-only).

8. To teach these courses, I assign and discuss a mix of digitally native media, popular press, and blogs, in addition to peer-reviewed academic scholarship, textbooks, trade journals, and policies. My classes incorporate case studies and examples from pop culture, law and policy, current events, film, TV, documentaries, social media, and history as a way to apply academic concepts to the real world.

9. My classes use a variety of tools to assess students' understanding of the media that we discuss in class, as well as other digital media trends that are relevant to them. Due to the prevalence and significance of social media, many of my assignments focus on social media explicitly. Even when they do not, students frequently choose to study and analyze social media in their assignments and class discussions.

**TikTok**

10. One social media platform that has factored heavily into my research and teaching is TikTok. TikTok is a social media platform reported to have more than one billion monthly active users, including some 150 million in the United States. Users can access TikTok through a web browser, a desktop application, or a mobile phone application.

11. TikTok allows users to create, edit, and share short videos that incorporate audio from TikTok's Sound Library. Users can also watch and interact with videos posted by other users. In the early days of TikTok, videos were restricted to a length of fifteen seconds. Now, some videos can be up to ten minutes long, though under sixty seconds is the norm. Videos are typically accompanied by a short description or "caption."

12. TikTok has become an important platform for many content creators, in part because of the extensive set of recording and editing tools that it offers. These tools significantly reduce the friction and technical expertise necessary to create videos that are visually interesting or that replicate certain formats.

13. With TikTok's editing tools, users can trim and rearrange video clips, add visual effects and cinematic transitions, and add text captions. An effect called "stitch" allows one user to intersperse their own TikTok video with clips from another user's TikTok video. This allows the second creator to add commentary about the previous video. Another effect, called "duet,"

creates a split screen, allowing a creator to play their own video alongside another TikTok video. TikTok also produces auto-generated captions and provides a "text-to-speech" feature that generates a voiceover from a video's written captions.

14. TikTok also offers an ever-expanding library of augmented-reality and interactive effects that users can add to their videos. These effects include interactive elements like quizzes and games, as well as green screens that allow creators to change their backgrounds or mimic cinematic "special effects." Newly added effects and audio clips frequently spur creators to generate a flurry of videos that follow a similar pattern; especially popular patterns are sometimes said to have generated "TikTok memes."

15. TikTok also provides users with an array of audio editing tools. The most important feature is the Sound Library, which allows users to browse different audio clips and add them to the background of their videos. The TikTok Sound Library displays audio clips that are currently popular in a section called "TikTok viral." Many TikTok creators use and reuse these viral audio clips to participate in trends and memes on the platform. Creators can also record or add their own voiceovers and audio clips to the Sound Library.

16. In addition to the many features it offers to creators, TikTok gives viewers a set of tools to discover content on the platform. The platform's primary content-discovery mechanism is its recommendation algorithm. When a user opens TikTok, they are brought to the "For You" page, which serves as a personalized feed of videos, created based on the user's interests, network, and engagement. On the For You page, TikTok shows users one video at a time, and when one video finishes playing, the feed automatically advances to the next recommended video.

17. TikTok's recommendation algorithm responds to a user's behavior on the platform, adjusting the content it recommends based on factors like who a user follows, what videos a user

likes or clicks "not interested" on, what content a user posts, shares, and searches, and the amount of time a user spends watching a given video. TikTok uses these inputs to "learn" what a user is interested in, then recommends videos that have been well-received by other users with similar interests. The algorithm is also optimized to ensure that diverse content is mixed into a user's For You feed, preventing the feed from becoming repetitive or homogenous.

18. TikTok also provides viewers with a variety of other ways to seek out content. For example, viewers can click on the name of the audio track used in a video to find other videos that use the same sound. Viewers can find videos that discuss certain topics by clicking on hyperlinked keywords that creators include as "hashtags" alongside their videos. Viewers can use TikTok's search bar to look for other users (by searching for usernames) or videos, sounds, and livestreams (by searching for keywords). Users can also click a "playlist" button at the bottom of some videos to see other videos that the content creator recommends.

19. Lastly, TikTok is a "social" app. Users interact with one another by "liking" or leaving comments on videos, following other users, creating duets, or sharing TikTok videos, accounts, hashtags, or sounds.

20. Many TikTok users use the app to learn about politics, current events, and culture. They have used the app to learn about issues such as the COVID-19 pandemic, racial justice, the 2020 U.S. election, mental health, immigration, and natural disasters. People use the interactive and creative affordances of TikTok to generate ad-hoc communities related to particular topics for the purposes of information-gathering, advocacy, education, professional identity development, creative expression, and engagement with a public sphere. For some users, particularly youth, TikTok has surpassed Google to become their primary search engine for learning about news, politics, and culture. The conversations and circulation of content that take place on TikTok have

significantly shaped political campaigns, fundraising efforts, community advocacy, social movements, identity development, education and literacy, and mental health for many users. TikTok is integral to how many young people engage with each other, their culture, and local, national, and global politics.

21. Many scholars—myself included—have raised concerns about certain of TikTok's features and practices, and about the implications of these features and practices for individual privacy, mental health, and public discourse. The concerns raised about TikTok are similar to those that have been raised about other social media platforms. As with all social media platforms, there are concerns about what kinds of data is collected, by whom, and for what purposes. There are legitimate concerns about how the algorithm determines what content to show users and how this can potentially lead to the spread of misinformation, for example. As with all social media platforms, there are concerns about the kind of content young people produce and access and the platform's potential to negatively impact their wellbeing and safety, such as through predatory behaviors or content promoting self-harm. Media scholars, such as myself, are particularly concerned with how the structures and goals of for-profit commercial platforms are at odds with the societal responsibility to protect young people from exploitation and harm. But the important point for present purposes is that criticisms that have been levied against TikTok could be levied against other commercial platforms as well. TikTok's practices, policies, and business model are not meaningfully different from those of other commercial platforms.

**TikTok Use**

22. I created a TikTok account in approximately 2019. Since then, I have used it to conduct research, inform my teaching, and learn about other topics that interest me.

23. TikTok is particularly relevant to my academic interests because it is overwhelmingly used by young people. Because young people feel that TikTok "belongs" to them, they see it as a venue for generational identity development, keeping up with news and current events, responding to trauma and tragedy collectively, and bonding with peers. *See, e.g.*, Jacqueline Vickery, *Check Your Facts, Fetus: #GenZ vs. #Millennials and the Role of TikTok in the Generationing Process*, Assoc. of Internet Researchers, https://doi.org/10.5210/spir.v2022i0.13103 (Mar. 29, 2023). Young people view TikTok differently from more established and inter-generational social media platforms like Facebook and Twitter.

24. Recently, I have used TikTok extensively in my research about two topics: Gen Z and Millennial identities; and the ways young people respond to gun violence in the United States. Videos, comments, the Sound Library, memes, metadata, and other information from TikTok have formed the backbone of that research.

25. I have written a number of papers and given several presentations about my research in these areas. In June 2023, I presented a research paper titled *TikTok, #darkhumor, and The Gendered Negotiations of Surviving A School Shooting* at the Console-ing Passions Feminist Media Conference in Calgary, Alberta. The paper analyzed #darkhumor and #schoolshooting videos on TikTok to explore how the affordances of the platform emphasize play as a way for young people to express generationally-specific trauma.

26. In November 2022, I presented a paper called *"Check Your Facts, Fetus": #GenZ vs. #Millennials and the Role of TikTok in the Generationing Process* at the Association of Internet Researchers Conference in Dublin, Ireland. The paper analyzed the differences between the ways that Gen Z and Millennials use TikTok and asked what role TikTok's technological features—its

platform logic, functions, and the tools it gives users access to—played in the collective construction of generational borders between Gen Z and Millennials.

27. In June 2022, I presented a paper called *Cheugy Millennials vs. Gen Z Drip Checks: Unpacking TikTok's Generational Wars* at the Console-ing Passions Feminist Media Conference in Orlando. The paper analyzed so-called "generational wars" memes in TikTok videos to argue that framing the debates as generational conflicts masks Gen Z's attempt to resist colonization of their digital spaces and erases the gendered and racialized discourses within generational divides.

28. In October 2020, I presented a paper titled *The Memification of #SchoolShootings in the U.S.: Youth, TikTok, and Playful Mediated Bodies* at the Association of Internet Researchers Conference. (I presented the paper virtually.) To write the paper, I conducted a content and discursive analysis of two hundred TikTok videos that were tagged #darkhumor and #schoolshooting, using the videos to discuss how young people understand cultural trauma and how they use TikTok to reclaim emotional control of uncontrollable situations.

29. In October 2019, I gave the two talks at universities in Australia on the topic, "What Can the Playful Voice Teach Us About Media Literacy?" The talks relied heavily on examples of youth-produced videos and memes on TikTok to illustrate the "mediated playful voice," which I argue is prevalent on TikTok and arises in part because of specific features of the TikTok platform, like its use of sound libraries, stitches, duets, challenges, and in-app editing.

30. I have even used TikTok to present my research. Due to COVID, the Association of Internet Researchers conference took place virtually in 2021. Participants were asked to create a three-minute video about their research paper. Because my paper—*"Dear Congress, Just Play Dead": TikTok's Absurd Guide to Surviving #Lockdown*—was about TikTok, it made sense to

create my presentation in the app. I co-created the video with my graduate research assistant at the time.

31. I hope to continue using TikTok for my research in multiple ways. For example, I am actively turning several of my TikTok-related conference papers into manuscripts for publication. I have also been invited to contribute a chapter on TikTok titled, *Dancing During #Lockdown: School Shootings, TikTok, and the Playful Mediated Body*, which will be included in an edited visual methodologies book written by two criminology scholars in the Netherlands.

32. Each of these planned projects will require me to identify, watch, code, and analyze more TikTok videos, comments, algorithms, and memes in order to build out a data collection for analysis. Because many of the TikTok videos that form the basis of my draft papers are saved only as links (rather than downloads on my computer), I will need to access the TikTok platform in order to view them while I continue my work on the papers. I am also working on a new grant application for the National Endowment for the Humanities that would fund a book-length project tentatively titled *Don't Come to School Tomorrow: Narratives of Gun Violence in the U.S.*. A significant portion of the research will focus on TikTok memes related to rampage shootings in schools, as well as interviews with young people about their use of TikTok. The proposed method will involve young people sending me relevant TikTok videos they create or watch.

33. TikTok also plays a significant role in my teaching. Because I teach about digital media and its use by young people, it is critical that my lessons are accurately informed about what young people are saying and doing on the platform that is most popular among them. That platform is TikTok. The trends, memes, and slang that I learn about on TikTok have frequently become relevant examples and points of discussion in my classes. I have often incorporated examples from TikTok when building my lecture slides, and when students have mentioned videos or trends that

others in class are unfamiliar with, I have typically pulled up the videos to inform the class conversation.

34. Some of my TikTok-related lessons and assignments have related to the content that users post on TikTok, while many others have centered on the design and governance of the platform as a platform with its own unique recommendation algorithm, content moderation practices, search functions, organizational structure, rules, and design. When I teach such classes, I often use TikTok to pull in videos that relate to the arguments, concepts, and theories that students are learning about in their assigned readings. Sometimes, I have also asked students to go to TikTok to find examples, conduct real-time searches to analyze the search algorithm, or to access community guidelines and moderation policies.

35. Moreover, my students have frequently chosen to focus on TikTok when I have allowed them to focus on a platform, influencer, or piece of content of their choice. Students have chosen to discuss examples from TikTok in a host of visual essays, video essays, and research papers, both for in-class exercises and homework assignments. For example, one group of students chose to analyze body image and gender norms on TikTok in response to an open-ended prompt that asked them to examine how self-identified members of Gen Z use media to negotiate their collective identity. When I grade student assignments like these, I need to open the TikTok links and watch the videos to determine whether they appropriately support the student's analysis.

36. When students have submitted in-class exercises that include TikTok links and samples, I have often asked a group of students to share their answers with the class, which involves pulling up the videos so that the entire class can watch.

37. Before the TikTok ban, I planned to continue discussing TikTok in my classes and using relevant, TikTok-related examples in the same way that I have in the past.

**The Indispensability of TikTok to My Work**

38. My research would absolutely not be possible without the use of TikTok. In all of the papers discussed above, the primary focus of the research is TikTok and how young people are using it. My goal is to study how young people use TikTok specifically, rather than social media more broadly. As discussed above, TikTok offers unique affordances such as duet, stitching, in-app video editing, green screens, and sound and music libraries that other apps do not offer. As such, users' practices on the app differ significantly from their practices on other apps such as Twitter, Instagram, or YouTube. Due to these unique affordances, users develop different trends, conversations, practices, and debates that are native to the TikTok platform. I could not conduct my research into how young people respond to news and trauma or how they use the app to develop a collective generational identity by any means other than spending a significant amount of time on TikTok.

39. Likewise, other social media applications cannot substitute for TikTok in my teaching. For example, in one of my classes, we typically watch several TikTok videos that can be categorized as part of the same trend, meme, or challenge to consider who is participating, how, and why. We start by seeing what the app recommends on the "For You" page, then I click on "Sounds" to show other videos using the same sound. One purpose of the lesson is to study the TikTok algorithm in real time and to observe the ways that content creators take advantage of affordances that are unique to the TikTok app.

40. When teaching about the affordances of the TikTok platform, I typically ask students to conduct an analysis of the user interface—that is, what is on their screen, what they can do with the app, how certain functions are privileged and certain capacities are discouraged.

We then analyze the defaults and explore the settings of the app to understand how it privileges particular identities, privacy settings, imagined users, or uses.

41. In another lesson, we study digital platform policies and community guidelines. To do this, we typically look for examples of how content creators work within and resist content moderation guidelines and how the TikTok app actually enforces its own policies. In these lessons, we read TikTok's policies by pulling them up on TikTok's app or website.

42. In all of these examples, I use TikTok's features to illustrate key concepts from the learning objectives of my courses: how policies, practices, norms, algorithms, default settings, privacy settings, and user interfaces shape and are shaped by a platform. I cannot teach these lessons about TikTok without accessing content, search results, trends, policies, content, and interfaces on TikTok, itself.

43. Likewise, I could not effectively teach my course without addressing TikTok. TikTok is the dominant platform among young people and the place where digital culture is evolving most rapidly. TikTok is also one of the fastest growing areas of scholarship within internet studies. To ignore TikTok in my class would be like teaching about e-commerce without discussing Amazon. Avoiding discussion of TikTok would also require me to shut down lines of inquiry and analysis that my students raise in response to class assignments, readings, and discussions, making in-class interaction significantly less relevant, engaging, and effective. Under Texas's new TikTok policies, I have already needed to do so.

**The TikTok Ban**

44. On December 7th, 2022, Texas Governor Greg Abbott issued a Directive that required all state agencies to ban the use of TikTok on state-owned devices and state-operated networks. The Directive also required the Department of Public Safety and Department of

Information Resources to issue a Model Plan that would provide guidance for how state agencies should ban the use of TikTok on personal devices that had access to certain state resources.

45. Because UNT is a state agency, the University complied with the Directive. In an email sent to all UNT System employees on December 8th, 2022, the UNT System's office of Information Technology wrote that "[p]er Governor Abbott's order," (which was linked in the email), "all faculty and staff across all UNT member institutions and UNT System Administration, must immediately cease using or downloading TikTok on any institutionally issued and/or managed devices" and ordered all verified UNT member institutions' social media managers to "freeze activity on all TikTok accounts immediately and until further notice." UNT later blocked the use of TikTok on university-owned WiFi and wired internet networks.

46. The UNT System is not granting exceptions that would allow the use of TikTok on state-owned devices or networks, meaning that TikTok videos cannot be posted or submitted in assignments on Canvas (the university's learning management software), nor shown in class on any state equipment. Faculty who use TikTok for research have been told that there will be no exceptions that would allow us to use TikTok on our university-issued devices. On December 8th, 2022, Department of Communication Studies Chair, Suzanne Enck, sent an email to UNT's Provost and Vice President of Academic Affairs, Mike McPherson, and its Interim Executive Dean, Jim Meernik. Her email explained that several faculty members used TikTok for research and teaching and asked how such faculty members could continue their academic activities under the ban. She also asked whether conducting TikTok-related research would negatively affect a faculty member's chances of getting tenure or promotion. McPherson responded the same day that, in his understanding, "faculty and staff cannot use [TikTok] on any university-owned equipment, for any reason" and that such a policy would be likely to remain in place unless the university got

"softer guidance" from the Governor's office. He added that he "[could not] promise that faculty doing research about or involving [TikTok]" would be "safe." (This exchange between Enck and McPherson was later forwarded to me by Enck.)

47. On January 13th, 2023, I reached out to Meernik personally to explain how important TikTok was to my research and teaching and to ask about an exception. Meernik replied that he had "asked a few times about research that uses or studies TikTok and [had] not gotten any responses," and that "the higher-ups" were still sorting out the implications of the ban, in consultation with "state leaders." Though more guidance was promised in February, none has been provided.

**Interference with Teaching and Research**

48. The TikTok ban has imposed profound burdens on my teaching and research.

49. Other than my cellphone and Amazon Kindle (which does not have access to the app store and lacks the ability to play video content), all of the internet-connected devices in my possession are owned by UNT. This means that, under the ban, I cannot download or use TikTok on my laptop computer, the desktop computer in my on-campus office, the desktop computers in the classrooms where I teach, the Samsung tablet I use when traveling, or the laptops and iPads I use in my work for the Youth Media Lab.

50. Prior to the TikTok ban, I relied nearly exclusively on my university-owned laptop, my university-owned on-campus desktop, and university-managed internet networks to conduct my research, to prepare and present teaching materials, and to grade assignments.

51. Now, the only device I can use to access TikTok is my personal cellphone—but even this workaround does not appear to be allowed by the ban. While it initially appeared that I might be able to continue my research using my cellphone, the Model Plan that was issued after I

received that advice requires state agencies—including public universities—to bar employees from having TikTok on personal devices that are used to conduct state business. (The Plan defines "state business" to include "accessing any state-owned data, applications, email accounts, or non-public facing communications.") By necessity, I use my cellphone to access a variety of university and state resources, including my UNT email and calendar, SharePoint, Canvas, Microsoft Office, and Zoom accounts. Removing these accounts from my phone would make it much more difficult for me to respond to student concerns, monitor student assignments, manage my calendar and schedule, communicate with my colleagues and research assistants, and participate in university meetings.

52. In any event, doing my research with only my personal cellphone is not feasible. As noted above, my research requires me to view, analyze, and compile significant numbers of TikTok videos and data about creators, algorithms, and metadata. Prior to the ban, I would open TikTok on my computer so that I could easily open multiple browser tabs at once. This made it possible for me switch back and forth quickly between multiple videos that I was analyzing, coding, or comparing. The browser also enabled me to organize and sort large numbers of videos, either as bookmarks in my browser or as lists of links that I could open with one click.

53. Viewing TikTok videos on my phone imposes significant constraints. I can have only one video open at a time, and it is cumbersome to navigate between videos. The TikTok app has not, historically, allowed users to organize saved videos or create "playlists" of other users' content, which means that after I watch one video on my phone, I have to leave that video, go back to my "favorites" page—which has a disorganized array of videos I have saved for all of my various research projects—scroll through hundreds of saved videos until I find the next one I want,

click on it and watch it, then exit, and repeat.[1] When coding and analyzing TikTok content, I also need to access the comments, the creator's profile, stitches made using the original video, and the video's metadata, which requires leaving the original content. If I were using a browser on a desktop or laptop computer, I could use the "back" button to return to the original content, but the mobile app does not have a similar feature, which can make it challenging or impossible to return to or even locate the original video. TikTok's lengthy and evolving policy and community guidelines pages are also not easily searchable in the app as compared to the browser, impairing my ability to analyze them.

54. In theory, it might be possible for me to download TikTok videos from my cellphone and then use the downloaded videos as the basis for research. In practice, this is not feasible. First, from a cellphone, it is difficult to download a TikTok video for later reference. Doing so requires me to open the video on my phone, download it, upload it to Google Drive—because batched video files are too large to email—open Google Drive on my computer, download the video to my computer, and file the video in the appropriate folder. Even this convoluted and time-consuming process is not available in every circumstance, because not all TikToks have a download option. For example, TikTok does not allow users to download videos that were posted by users under the age of 16. Because my research focuses on young people, a significant number of the videos I analyze are subject to this rule and cannot be downloaded.

55. Second, downloaded videos do not contain—or allow ready access to—all of the metadata and comments that I need to conduct the kind of interactive research that my work requires. For example, if I want to click on the sound playing in a video to see what other videos

[1] TikTok recently introduced a "collections" feature that allows me to organize videos that I now add to my "favorites." However, because there is no easy way to batch previously saved videos and organize them, hundreds of videos remain uncategorized in my "favorites" page.

are using that same sound, or I want to click on a hashtag to see how others are using it, or I want to click on the creator's profile to learn more about them, or I want to read the comments to see how people are reacting to a video, or I want to know how many views and shares the video has received, then I have to go back to my phone and locate the video to conduct this kind of information gathering research. If I find anything that is relevant, I have to screenshot or download it and start this entire process again. My research also requires me to evaluate comments under videos, video metadata, and other, more interactive features that are difficult to transport out of the TikTok platform. Before the ban, I could easily scroll, read, and search for comments for analysis, including easily copying and pasting comments into my datasets. Now, I have to copy them from my phone, open an email application, paste them into an email, send them to myself, open that email on my computer, then copy and paste them into my dataset for analysis.

56. In short, using my cellphone is a cumbersome and time-consuming workaround that has significantly delayed the progress of my research, especially my ability to identify, organize, and analyze videos. It has also made it nearly impossible to include TikTok videos in lectures, conference presentations, and invited research talks.

57. For example, in April 2023, I presented a research paper titled *Unpacking the Gendered Discourses of TikTok's Generational Wars* at the Society for Cinema and Media Studies in Denver. Due to the TikTok ban, I was unable to continue my data collection; I could only analyze the limited number of videos that I had downloaded prior to December 2022. Although I had access to a limited downloaded dataset, I could not access the comments or data about the videos (e.g. how many views, stitches, etc.). I could not click on the hashtags or audio to discover how the memes had evolved, who was engaging with the content, or see what other content the creators had posted. An earlier iteration of the presentation (started in June 2022, prior to the ban)

analyzed videos that I had not downloaded and could no longer access. For other examples in the paper, I had to write detailed descriptions because I could not access them on TikTok and I was unable to find them re-posted to another platform. Detailed descriptions are a limiting substitute for showing media clips at a media conference: not only do written descriptions of content take up valuable presentation time, but they deny audiences the opportunity to experience and interpret the data based on their own expertise.

58. The TikTok ban has also weakened several of my in-progress research papers. For example, there are several videos from the June 2022 "Generational Wars" conference presentation that I have lost access to due to the ban, so I will be forced to cut them from the manuscript. My analysis relies on these specific examples and without access to the content, my argument will be weakened or must be detrimentally reworked. The school-shooting conference paper and manuscript I am currently working on has also been significantly impacted. Not only can I not update my dataset with newer examples, but the majority of my dataset is content produced by high school students and cannot be downloaded. Because I cannot download the videos or open hyperlinks to them, the examples will have to be removed from my analysis, argument, and presentation and my analysis will exclude relevant examples from 2023 that I would have otherwise included.

59. The TikTok ban has also impaired my ability to review other scholars' research and build my own knowledgebase. I have agreed to peer-review a book chapter manuscript related to media targeted at children and adolescent audiences. The manuscript includes TikTok links in the bibliography and in the captions of screenshots included in the body text. Clicking these links and verifying the author's analysis is an important part of the peer-review process, but I cannot do so on my work computers or my office wireless network. Even outside of the peer-review process, I

read lots of other scholars' work to inform my research and teaching. These papers often include links to TikTok that I can now watch only on my cellphone, making it much harder to be informed about developments in my field.

60. In addition, the TikTok ban has made my teaching significantly more difficult. As discussed above, TikTok has played an important role in my teaching—I use TikTok-related examples in my lectures, I give TikTok-related assignments and readings, and I respond to TikTok-related examples when students raise them in class or their assignments. However, I can no longer use my university-owned laptop or university-owned desktop to source TikTok links to include in my lecture slides, and I can no longer open TikTok links on the university-owned classroom computer. I can no longer share the links with students by posting them on Canvas, our course management system, because it is a university-owned resource.

61. Some portions of my TikTok-related teaching are impossible to replicate under the ban. Lessons about TikTok's search results, algorithmic recommendations, trends and memes, comments and user interactions, user interfaces and affordances, hyperlinks, and sound libraries all require actual, real-time engagement with the platform and the ability to click on links, scroll, and search. These functions cannot be captured or downloaded ahead of time. As such, I have had to abandon this aspect of my teaching all together.

62. Using examples of TikTok content in class has also become much more difficult. Now, I have to employ the unwieldy process outlined above: download the video to my phone, upload it to Google Drive, open it on my computer, download it to my computer, and embed it in my lecture presentation.

63. As a result of the ban, I now use far fewer TikTok videos in my lectures and discussions. Instead, I try to find compilations of TikTok videos that have been posted on YouTube—which is very time-consuming and often unsuccessful.

64. Even if downloading videos were a viable workaround that allowed me to prepare my lecture slides, the ban still makes it impossible for me to pull up TikTok videos "on the fly" when student-generated examples arise during class discussion. This has made class discussion more difficult to steer and engage with, for both students and myself.

65. Many of my students are also unable to access TikTok in class. While students can access TikTok on their cellphones if they use their personal data plans, about one third of my students are "laptop- or tablet-only" in class. Because TikTok is blocked on university WiFi, these students have no way to access TikTok for an in-class assignment. Given this, I no longer give in-class assignments that require students to use TikTok.

66. Lastly, grading student assignments that use TikTok has become significantly more difficult. I use a university-owned computer to grade. Because I cannot open TikTok links on this computer, I have to open Canvas on my phone, open the student's assignment, find the relevant link, click on it and watch it on my phone, then return to my university computer to leave my assessment for students. As a result, grading is more time-consuming and more difficult, and time that I would previously have spent engaging with the students' work is wasted on technical tasks instead.

67. If the ban prohibits me from using even my personal cellphone to access TikTok, even the limited workarounds I have identified to continue using the service in my teaching and research would be off limits.

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

Respectfully submitted,



Jacqueline Vickery

August 30, 2023