

NEWS & INSIGHTS

The TAKE IT DOWN Act explained: What parents need to know (Part I)

BY: [TONYA SULIA GOODMAN](#) | [INSIGHTS](#) | [ARTICLE](#)

JANUARY 22, 2026



This is Part I of a two-part series explaining the TAKE IT DOWN Act to parents.

The federal [TAKE IT DOWN Act](#), which was signed into law on May 19, 2025, aims to tackle a growing problem and could be a powerful tool for parents in the fight against online dangers for minors.

The act establishes the first nationwide standard requiring online platforms to remove images forbidden by the act, including AI-generated images. With respect to minors, the act:

- Criminalizes the knowing publication of intimate visual depictions, including AI-generated deepfake images, and threats to disclose such images
- Requires covered platforms to timely remove unlawful visual depictions upon proper notice
- Provides for civil penalties against covered platforms for failure to comply with the notice and removal provisions.

While the act's protections took effect last May, its notice and removal provisions take effect May 19. That gives parents until then to learn how to use the notice and removal provisions of the TAKE IT DOWN Act to protect kids from the ever-evolving dangers of the internet and the threats posed by online predators, and to talk to an attorney if this has happened to you or your children.

The act offers a framework for steps parents should take if an image of their child is published online or their child is threatened with future publication.

Step 1: Immediately notify the platform and request the image and any copies be taken down

The TAKE IT DOWN (Tools to Address Known Exploitation by Immobilizing Technological Deepfakes on Websites and Networks) Act provides a vehicle for parents to notify the covered platform and request the removal of any published intimate visual depiction that includes a depiction of an identifiable individual and was published without the consent of the identifiable individual. By May 19, covered platforms must establish a process for parents to make the required notice of the image and the request for its removal. The act defines a covered platform as "a website, online service, online application, or mobile application, that serves the public and either primarily provides a forum for user-generated content or publishes, curates, hosts, or makes available content of nonconsensual intimate visual depictions in the regular course of trade or business." That would include apps and sites such as Facebook, Instagram, Snapchat, TikTok, and many more.

Platforms must provide clear and conspicuous notice of the removal process in plain language, including how a parent can submit a request for removal.

Before the effective date, most platforms already provide some image removal process. Parents can go to Facebook's Help Center, for example, [to report privacy violations](#).

It's likely that by the effective date, covered platforms will more explicitly reference the TAKE IT DOWN Act and provide specific notice and removal procedures. Covered platforms have an incentive to make clear that an image was removed pursuant to the TAKE IT DOWN Act because the act gives platforms protection from liability if the platform removes an image in good faith and the image is later determined to be lawful.

Parents should be careful to follow the act's very specific requirements when making the notification to the platform and requesting removal of the image:

- The notification must be in writing
- It must include the parent's electronic or physical signature
- It must include an identification of the image and provide the platform with sufficient information to locate the

image

- It must include a brief statement of the parent's good-faith belief that the image was published without consent
- Parents must provide contact information

Once a valid removal request has been made, the covered platform must remove the image within 48 hours and make reasonable efforts to remove identical copies. Before the platform removes the image, parents should attempt to make and save a copy, record any known information about the image's publisher, and save any message logs related to the image's publication.

If you have any questions about the process of requesting the removal of an image from a social media platform, please [contact me](#) or any member of the [Saxton & Stump Investigations, White Collar and Criminal Defense Group](#).

Part II, explains the legal remedies, including criminal prosecution, available to parents if an image of their child is unlawfully published can be found [here](#).

Related People

[Tonya Sulia Goodman](#)

Related Services and Industries

[Investigations, White Collar and Criminal Defense](#)