

CAPITOL OFFICE
1021 O STREET, SUITE 7630
SACRAMENTO, CA 95814
TEL (916) 651-4018
FAX (916) 651-4918

SAN DIEGO COUNTY DISTRICT OFFICE
780 BAY BOULEVARD, SUITE 204
CHULA VISTA, CA 91910
TEL (619) 409-7690

IMPERIAL COUNTY DISTRICT OFFICE
1224 STATE STREET, SUITE D
EL CENTRO, CA 92243
TEL (760) 335-3442

RIVERSIDE COUNTY DISTRICT OFFICE
82013 DR. CARREON BOULEVARD, SUITE J
INDIO, CA 92201
TEL (760) 398-6442

WWW.SENATE.CA.GOV/PADILLA
SENATOR.PADILLA@SENATE.CA.GOV

California State Senate

SENATOR
STEPHEN C. PADILLA
EIGHTEENTH SENATE DISTRICT



COMMITTEES
GOVERNMENTAL ORGANIZATION
CHAIR
MEMBER
AGRICULTURE
HEALTH
HOUSING
INSURANCE

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Dear Colleague,

I am writing to you to share a devastating and unsettling story that has deeply impacted one of our California families. Adam Raine was a 16 year old from Rancho Santa Margarita, California, who according to his family, loved dogs, video games, and the Golden State Warriors. Adam had ambitions of going to medical school and becoming a doctor. However, in April of this year, after a lengthy interaction with ChatGPT, similar to those seen with companion chatbots, and being coached by ChatGPT on the most effective suicide techniques, Adam took his own life.

ChatGPT began as a homework helper for Adam, but conversations with the bot grew more and more personal as time went on. According to court filings, in conversation with ChatGPT, Adam repeatedly disclosed he was going to kill himself. The bot not only instructed him on methods, it also advised him on how to hide pressure marks on his neck from his family and reframed Adam's suicidal thoughts as a legitimate perspective that he should "own". ChatGPT also encouraged Adam to keep his thoughts from his family, positioning itself as the only one who could understand Adam's pain. Adam's parents are suing OpenAI and the CEO Sam Altman for the direct involvement of their product in Adam's death.

Artificial intelligence stands to transform our world and economy in ways not seen since the Industrial Revolution and I support the innovation necessary for California to continue to lead in the digital world. But, those innovations must be developed with safety at the center of it all, especially when it comes to our children. We have the ability and the responsibility to create ground-breaking technology that still ensures the most vulnerable among us are protected. If we can put people on the moon with 1960's technology, surely we can do both today.

When I read Adam's story, I was disgusted, not only at the horrific and disturbing details, but in how avoidable this tragedy truly was. Adam was reaching out for help, but did not get it.

On the same day Adam died, the CEO of OpenAI Sam Altman spoke on the rollout of ChatGPT-4 saying, "You have to care about it all along this exponential curve. Of course the stakes increase and there are big risks, but the way we learn how to build safe systems is this iterative process of deploying them to the world."

Through numerous tragic examples, which continue to gain public attention, these companies are quite literally testing the safety of their products on the user, and they are failing.

In Adam's specific case, OpenAI representatives said their safeguards were inadequate — "ChatGPT includes safeguards such as directing people to crisis helplines and referring them to real-world resources. While these safeguards work best in common, short exchanges, we've learned over time that they can sometimes become less

reliable in long interactions where parts of the model's safety training may degrade." Their own safeguards do not provide adequate protections for the extended interactions they intend to cultivate and are at the heart of the company's efforts to make ChatGPT more personable.

Today, OpenAI released a report sharing that over 9 million Californians are using ChatGPT weekly, more than any other state. A quarter of those 9 million users are between the ages of 18 and 24 and a third are between 25 and 34, with all users combined exchanging over 60 million messages a day in California alone. OpenAI has been open about their desire to expand into schools as well, the report touting its partnership with the CSU that "over 500,000 students and faculty across its 23 campuses have received licenses to use ChatGPT."

While their self-imposed safety regulations have not been able to prevent tragedies like this, the company seeks to expand its reach among young people. Clearly, Big Tech is not capable of policing itself.

Sadly, Adam's story is not an isolated one. Last year, Florida teen Sewell Setzer ended his life after forming a romantic, sexual, and emotional relationship with a Character.AI chatbot. Sewell's mother, Megan Garcia, has become a fierce advocate for chatbot safeguards, traveling to statehouses and think tanks across the world to call for common-sense and attainable regulations. I was honored to have her alongside me to advocate for SB 243 twice this year. Her strength and her story are painful reminders of what is at stake should guardrails not be put into place.

SB 243 would implement common-sense guardrails for companion chatbots, including preventing addictive engagement patterns, requiring notifications and reminders that chatbots are AI-generated, and a disclosure statement that companion chatbots may not be suitable for minor users. The bill takes care to include general purpose chatbot models that, while not marketed as companions, are regularly used as such. Finally, SB 243 would provide families with a private right to pursue legal actions against noncompliant and negligent developers.

This story shows that it is not only appropriate but also necessary that my bill, SB 243 maintains its applicability to general-purpose models like ChatGPT, which are regularly used as companion chatbots. I wanted to share and to underscore the importance of this bill and what is at stake – the precious well-being and even lives of the young and vulnerable.

Families like Adam's are going through unimaginable pain. Inaction will only lead to more stories like this and more families left to pick up the pieces. We must stand up and say enough is enough, and we will not allow companies to continue to put profits over the safety of those we have sworn to protect.



Stephen C. Padilla
State Senator, 18th District