



# ADMINISTRATIVE POLICY

<b>SUBJECT</b>	<b>ARTIFICIAL INTELLIGENCE: ACQUISITION AND USE POLICY</b>		
<b>NUMBER</b>	24-01	<b>SIGNED DATE</b>	September 25, 2024
<b>ISSUED BY</b>	Mark Washington, City Manager <i>Mark A. Washington</i>		
<b>PREPARED BY</b>	Doug Start, Director of Information Technology		
<b>REVISED</b>	NA		
<b>ASSOCIATED POLICIES</b>			
<b>CITY VALUES</b>	<input checked="" type="checkbox"/> Accountability <input type="checkbox"/> Customer Service <input checked="" type="checkbox"/> Innovation	<input type="checkbox"/> Collaboration <input type="checkbox"/> Equity <input type="checkbox"/> Sustainability	

## SUMMARY

This policy provides expectations and guidance for City of Grand Rapids staff in the use of Artificial Intelligence (AI) and Machine Learning (ML) technologies and services.

## PURPOSE

The use of Artificial Intelligence (AI) has been increasing rapidly over the past few years, with applications ranging from healthcare to transportation to defense. While AI has the potential to provide many benefits to society, it also raises important ethical, legal, and social concerns. Additionally, the end user has to be aware of where data being entered into AI systems is being stored and how that AI system might use the data being entered. To address these concerns, the following administrative policy has been created to set expectations and provide guidance for City of Grand Rapids staff in the use of Artificial Intelligence (AI) and Machine Learning (ML) technologies and services.

## POLICY APPLICABILITY:

The expectations and obligations described in this Policy apply to all users of the City of Grand Rapids wherever they may be located. Violations of this policy may result in disciplinary action, up to and including termination, as well as civil and criminal liability.

## DEFINITIONS

- **Artificial Intelligence (AI)** - The capability of computer systems or algorithms to imitate intelligent human behavior.

- **Machine Learning (ML)** - A subfield of artificial intelligence that enables a computer to learn to perform tasks by analyzing a large data set without being explicitly programmed.
- **Human In The Loop Principles (HITL)** - A methodology associated with AI or ML when humans are involved with setting up the systems, tuning and testing the model so the decision-making improves, and then actioning the decisions suggested by AI or ML.
- **Predictive AI** – Artificial Intelligence focused on identifying future patterns, trends, events, and behaviors based on a fixed data set. Rather than using neural networks like generative AI, predictive AI relies on simple models to gather larger data sets.
- **Generative AI** – Artificial intelligence capable of generating text, images, videos, or other data using generative models, often in response to prompts. Generative AI models learn the patterns and structure of their input training data and then generate new data that has similar characteristics.

## POLICY

The following policy applies to all City of Grand Rapids departments that use AI or ML in any capacity.

### 1. Ethical and Responsible Use of AI/ML:

All City of Grand Rapids departments using AI/ML must ensure that their use of AI is ethical, responsible, and transparent. This means that AI/ML should be used in a way that is consistent with all City of Grand Rapids values and principles, and that protects the rights and dignity of all individuals. All City of Grand Rapids departments must ensure that their use of AI/ML does not discriminate against individuals based on race, ethnicity, gender, religion, sexual orientation, or any other protected characteristic.

While this policy seeks to provide guidance on the use of AI and ML it cannot be totally prescriptive. In an effort to bring some context, the Information Technology Department offers these four categories of AI and ML tools to help staff understand differences between these tools and suggestions on awareness and engagement for each.

#### A. Use of Predictive AI and Generative AI Tools-

- **Description-** These tools may be widely available on the web to generate content, conduct research, ask questions, or search the Internet. An individual may use these tools for general questions, crafting of generic content, or general inquiries. For example, a staff member may ask a Generative AI tool to draft a list of the top 5 considerations when planning a flower bed.
- **Considerations-** Staff should:
  - Be sure to not enter or disseminate any corporate or non-anonymized citizen specific data.
  - Be aware that these tools may not be totally accurate, and the end user should vet any findings or work product at the final stage and give appropriate attribution to the AI tool used per guidance in this policy.

#### B. Use of Predictive AI and Generative AI tools with corporate data-

- Description- Tools in this category may interact with or make use of non-anonymized citizen specific data, corporate data, or departmental corporate data. These tools may include but are not limited to embedded digital assistants, copilots, meeting note taking or summary services, and language translation services. While similar to the General AI and Generative AI tools, the key difference here is an individual may be using non-anonymized citizen or corporate specific data in their work product. Where the data is stored and how it may be used by a third party is the key difference the end user must pay attention to.
- Considerations-
  - Staff must be aware of how corporate data is being stored and how it may be used by third parties and ensure this use is in line with this policy and associated compliance rules/regulations. For example, an end user may attend a virtual meeting hosted by an outside company or agency where an AI assistant is taking notes on the meeting. The end user must be aware that any information they share during this meeting may be stored in unapproved locations and the end user should adjust the level of detail they share during the meeting.
  - Staff are responsible for the ethical use of corporate data, the security of the data being used, and any compliance requirements around the dissemination or use of data by AI systems. For example, utilizing an AI Assistant to summarize a series of emails containing attorney client privileged information may violate attorney client privilege based on where data is stored and how a third party may use that data. Staff should review this use with the Department of Law prior to the use of this service.
  - Any tools integrating with enterprise corporate solutions must be approved by the Director of Technology or their designee. The Information Technology Department reserves the right to require the use of specific AI tools that integrate with enterprise systems.

C. Engagement of AI Technology Embedded Within City Systems-

- Description- While following the above guidance, end users and department leadership should also ensure new features embedded with current or newly procured systems utilizing AI and ML technology meets the guidelines spelled out in this policy.
- Considerations-
  - Departments will engage the Technology Coordination Group (TCG) to vet and discuss any engagement of AI/ML features or tools embedded into City solutions.
  - Departments must be able to speak to how these solutions will utilize AI, data security and use, operational benefits, how Human in the Loop (HITL) concepts are utilized, if necessary, compliance/regulatory rules, and any public notifications that need to occur.

D. Use of AI To Replace Human Processes-

- Description- Departments want to carefully plan for and vet solutions that will remove humans from an operational process. Not only do the above-described data use and storage considerations have to be taken, but departments must also plan for safety concerns and how continuity of operations may be impacted.

- Considerations- Departmental leadership and staff:
  - Shall be able to explain how Human in the Loop Principles are used in transitioning this process to automation. This process should have intentional feedback loops for humans to train and tune the logic behind AI/ML automated process.
  - Shall have a plan for how safety and emergency response will be handled in the event of a malfunction. Staff should also include how operations will continue should a malfunction occur.
  - Any system that will introduce AI/ML automation must be approved by the Technology Coordination Group prior to procurement or implementation.

## **2. Data Privacy and Security:**

Local government agencies using AI/ML must ensure that the privacy and security of personal data is protected. This means that personal data should only be collected, processed, and used for legitimate purposes, and that appropriate measures should be taken to prevent unauthorized access, use, or disclosure of personal data.

Additionally, all departments using AI/ML solutions must ensure that the AI/ML solution is not in alpha or beta testing and is considered a production solution that has been fully tested. Departments using AI solutions must understand in detail where data will be stored and how it will be used by a third party. All storage locations must meet data localization requirements for government systems.

All City of Grand Rapids departments should maintain end to end security of the data and ensure that all compliance requirements governing datasets are adhered to including but not limited to where data rests, where data is processed, and where data is stored. All data should be encrypted in transit and at rest. In addition, all City of Grand Rapids departments must comply with data governance established in the City's Open Data Policy when it comes to the use and sharing of cross departmental data.

## **3. Transparency and Accountability:**

All City of Grand Rapids departments using AI, including Generative AI, must be transparent and accountable in their use of AI. This means that they should be able to explain how AI-based decisions are made, and how they affect individuals and society as a whole. In addition, City of Grand Rapids departments must be accountable for the outcomes of their use of AI and must take appropriate action to address any negative impacts that may arise. Departments and individuals engaging in the use of AI must understand how the use of AI may impact any compliance requirements their departments are required to follow (HIPPA, PII, CJIS, IRS 1075, etc.).

To enhance transparency and accountability departments must adhere to the following guidelines.

- a. Human In The Loop (HITL) systems and principles should be employed when using AI including generative AI. Where feasible, humans should be included in feedback loops to train systems or have final review and approval for created content.
- b. If text is generated by AI systems and used substantially in a final work product it must be disclosed and attribution must be given to the AI system used to create the text.
- c. If audio, video, or images are created or substantially altered using AI systems it must be disclosed and attribution must be given to the AI system utilized.
- d. Department staff may define the term “substantially” based on the final product created. Definitions must be in line with the values of the City of Grand Rapids and applicable intellectual property laws.

#### **4. Training and Education:**

City of Grand Rapids departments using AI must ensure that their employees are adequately trained and educated in the use of AI. This includes training on the ethical and responsible use of AI, as well as training on the technical aspects of AI, such as data processing, algorithm design, and model evaluation.

#### **5. Collaboration and Coordination:**

City of Grand Rapids departments using AI must collaborate and coordinate with other agencies and stakeholders, including industry, academia, and civil society. This includes sharing best practices, exchanging information, and working together to address common challenges and opportunities.

#### **6. Continuous Improvement:**

City of Grand Rapids departments using AI must continuously evaluate and improve their use of AI. This includes monitoring the impact of AI-based decisions, collecting feedback from stakeholders, and adapting their use of AI in response to changing circumstances and new information.

#### **Conclusion:**

The use of AI by the City of Grand Rapids has the potential to provide many benefits to society, but also raises important ethical, legal, and social concerns. This Administrative Policy is designed to ensure that AI is used in a way that is consistent with the values and principles of our city and that protects the rights and dignity of all individuals. City of Grand Rapids departments that use AI must ensure that their use of AI is ethical, responsible, transparent, and that appropriate measures are taken to protect the privacy and security of personal data.

#### **ADDITIONAL INFORMATION/DISCLAIMER**

Amendments and revisions. This Policy may be amended or revised as the need arises. Users will have access to all amendments and revisions.

No additional rights. This Policy is not intended to and does not grant users any contractual rights.