

MAYORAL EXECUTIVE ORDER ESTABLISHING PRINCIPLES AND POLICY GOVERNING
USE OF GENERATIVE ARTIFICIAL INTELLIGENCE
Effective March 20, 2024

WHEREAS, generative artificial intelligence (AI) and AI technologies represent rapidly evolving fields of academic and applied research as well as software that can be used to: improve our understanding of complex phenomenon, predict or suggest responses and interventions and, to improve operations across various sectors including municipal government;

WHEREAS, its use and the pace of development present many still unresolved ethical, security and policy questions, inherent risks and ethical considerations, it is necessary to provide rules and guidance for city employees, department leaders, residents and relevant stakeholders;

WHEREAS, Baltimore City is home to a rich and growing ecosystem of academic, industry, government, and civil society experts, researchers, builders, organizers and stakeholders;

WHEREAS, the treatment of use of generative artificial intelligence on city devices, for city work is informed by a balance between several principles and is informed by White House guidance on the responsible development and use of these technologies;

WHEREAS, the four principles undergirding our approach to generative artificial intelligence are: 1) only people have intent, and are responsible for outcomes of decisions; 2) uninformed use and or usage without guidance and governance risks sharing sensitive or inaccurate information and unintentional harm to workers and residents; 3) maintaining public trust and transparency is essential; and 4) it is in the City's interest to encourage and support the secure, sensible and transparent use of these technologies while still complying with all laws concerning data privacy and security.

NOW THEREFORE, I, Brandon M. Scott, Mayor of the City of Baltimore, by virtue of the authority vested in me, and in order to establish a framework for the ethical, secure and effective use of generative artificial intelligence that supports the municipal workforce and those who rely on City services and policy making, do hereby proclaim and order on this 20 day of March 2024:

I. Principles

A. Intent and Responsibility Rests with Individuals

Only people have intent and are responsible for outcomes of decisions. Like fire, artificial intelligence is a tool that supports human designs, desires, and intention. Responsibility rests with people.

B. Limited Guidance and Uninformed Usage Presents Risks

Uninformed use or usage of artificial intelligence without guidance and governance poses risks including but not limited to sharing of compromising, confidential, personally identifying, sensitive or inaccurate information or unintentionally otherwise harming workers or residents financially, emotionally, or physically. Disclosing information to an artificial intelligence tool, website or program constitutes releasing that information outside of the City agency and all data privacy and security laws apply.

C. Transparency

Maintaining public trust and transparency is essential. Use of artificial intelligence must support this goal and improve the functioning of government.

D. Accountability and Security

It is in our interest to encourage and support the secure, sensible and transparent use of artificial intelligence both through the incorporation of these capabilities via enhancements by current vendors, through independent generative artificial intelligence software, and most importantly through training of City staff on ethics, tools, and use cases.

II. Definitions

When used in this executive order, the following terms shall have the meanings ascribed:

- A. **Artificial Intelligence**, also known as AI, is software that can simulate human intelligence to perform analysis, reasoning, decision making or other complex tasks. AI is an umbrella term that covers different subfields such as robotics, computer vision, natural language processing and machine learning.
- B. **Generative Artificial Intelligence**, sometimes referred to as GenAI, is a set of software applications able to interpret and produce high quality—though sometimes inaccurate—outputs such as video, images, audio, text or software code based on prompts provided by a user.
- C. **Machine Learning**, also known as ML, is a field of study in artificial intelligence that uses data and algorithms to simulate human learning to help machines or systems become more accurate over time at tasks like pattern recognition, prediction, classification or observation of unique insights from data.
- D. **Protected Information** refers to any dataset or part of a dataset to which an agency is required or authorized to deny access pursuant to the Maryland Public Information Act (Title 4 of the State Code General Provisions Article) or any other applicable law.
- E. **Sensitive Information** refers to any data that, if published in open format, could raise privacy, confidentiality, or security concerns or could have the potential to jeopardize public health, safety or welfare, to an extent that it exceeds the potential public benefit of publishing that data. Section 9-1 (h), (i) and (j) of Article 1 of the Baltimore City Code defines terms relevant for classification, namely “protected information,” “sensitive information,” and “publishable data.”

III. Requirements and Prohibitions

Below, in alignment with federal guidance, are requirements for any City employee operating on behalf of the City who is using generative artificial intelligence tools. For more detailed information on best practices and frameworks reference the White House [Blueprint for an AI Bill of Rights](#) and the National Institute of Standards and Technology’s [Artificial Intelligence Risk Management Framework](#).

- A. Disclose use of generative artificial intelligence for reports, documents, software, emails or other communications or policy memos where outputs produced by a GenAI system are used substantially in the final product.

- B. Keep City-related work separate from personal, especially when using AI powered websites, apps, or tools that the City does not manage.
 - a. Create an account specifically for City-related work using City email address and not your personal email address.
 - b. Use a unique password for the service. Do not use the same password used to log into your City device.
- C. Keep track of how you use different AI tools like generative AI chatbots or anything that makes decisions or does tasks automatically.
- D. Do not upload any protected information, sensitive information or personally identifiable information (PII) pertaining to city residents.
- E. Do not upload any information that cannot be shared outside of your agency as governed by the Maryland Public Information Act or any other applicable state or federal laws as this constitutes disclosure of the information.
- F. Do not use the outputs of generative artificial intelligence tools without first reviewing, fact checking and refining the content, especially if it is intended for decision making or communication with the public.
- G. Do not fully automate decisions without human review, especially pertaining to whether residents qualify for services or benefits.
- H. Do not use any technology that can copy or fake someone's appearance or voice.

IV. Guidance and Recommended Practices

- **Fact check and review all generative artificial intelligence outputs for inaccuracies and bias:**
 - Generated content may lack ethics and emotional intelligence or produce outputs based on data that reflects bias. It is important to maintain high awareness and check for inaccuracies and bias.
- **Follow privacy and security best practices:**
 - Never send personal, sensitive, protected or confidential information to generative artificial intelligence tools.
 - Never send to generative artificial intelligence tools any information that can or may be withheld under Maryland's Public Information Act or other applicable state or federal laws.
 - Do not use any prompts that are not meant for public release.
 - Remember that conversations relating to city work may be subject to public records requests and released publicly.
- **Be a Responsible Actor:**
 - Be aware of the potential for generative artificial intelligence tools to be used in phishing, impersonation, disseminating false information, and creating harmful software.
 - Familiarize yourself with generative artificial intelligence usage policies, use cases and the risk management framework.

V. Action Plan

Our actions on generative artificial intelligence and the broader class of artificial intelligence tools will be multifaceted and multiphase. The first and second of these phases are the establishment of rules and guidelines followed by creation of an advisory group. The charge of the advisory group is to: 1) recommend and assist with training for City employees; 2) understand the City's use of generative artificial technologies and provide recommendations to the Mayor on artificial intelligence matters; 3) ensure usage of generative artificial intelligence tools is consistent with the requirements and principles outlined in this executive order and all applicable federal and state laws, including the Maryland Public Information Act. These actions include:

- A. Establishing a multiagency advisory group to provide recommendations on the equity and ethical, finance, data, legal, technology and human resources, implications of policy and standards development.
- B. Identifying external stakeholders such as local industry partners, civil society, academia, and state leadership to support the work of the advisory group.
- C. Supporting department heads, employees, and potential partners through trainings, developing and evaluating use cases, providing guidance on potential tools and on the integration of artificial intelligence features in existing City software.
- D. Publishing additional guidance and standards on usage of generative artificial intelligence.
- E. Providing a series of risk profiles and use cases to assist agencies in their use of generative artificial intelligence in ways that are safe, sensible, and productive.
- F. Inventorying and assessing current usage of generative artificial intelligence technologies throughout City agencies.

IN WITNESS WHEREOF, I HAVE HEREUNTO PLACED MY HAND AND
THE GREAT SEAL OF THE CITY OF BALTIMORE THIS 20 DAY
OF MARCH 2024.



BRANDON M. SCOTT, MAYOR

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
BY THE BALTIMORE CITY LAW DEPARTMENT



EBONY M. THOMPSON
CITY SOLICITOR