

AI (ARTIFICIAL INTELLIGENCE) POLICY

PURPOSE: This policy¹ establishes a comprehensive, yet flexible, governance structure for AI systems used by, or on behalf of, the City of Moreno Valley. This policy enables the City of Moreno Valley to use AI systems for the benefit of the community while safeguarding against potential harms.

The key objectives of the AI Policy are to:

- Provide guidance that is clear, easy to follow, and supports decision-making for City Employees (see the definition below) who may be using, purchasing, configuring, developing, operating, or maintaining the City of Moreno Valley’s AI systems or leveraging AI systems to provide services to or for the City of Moreno Valley.
- Ensure that when using AI systems, the City of Moreno Valley or those operating on its behalf, adhere to the Guiding Principles that represent values with regards to how AI systems are purchased, configured, developed, operated, or maintained.
- Define roles and responsibilities related to the City of Moreno Valley’s usage of AI systems.
- Establish and maintain processes to assess and manage risks presented by AI systems used by the City of Moreno Valley.
- Align the governance of AI systems with existing data governance, security, and privacy measures in accordance with Administrative Procedure #7.10 AI Usage.
- Define prohibited uses of AI systems.
- Establish “sunset” procedures to safely retire AI systems that no longer meet the needs of the City of Moreno Valley.
- Define how AI systems may be used for legitimate City of Moreno Valley purposes in accordance with applicable local, state, and federal laws, and existing agency policies.

The City of Moreno Valley’s AI systems and the data contained therein will be purchased, configured, developed, operated, and maintained using this policy and the City of Moreno Valley’s Administrative Procedure #7.10 AI Usage.

This policy applies to all AI systems deployed by the City of Moreno Valley.

¹ This policy is adapted from the GovAI Coalition’s recommended AI policy. https://www.sanjoseca.gov/your-government/departments-offices/information-technology/ai-reviews-algorithm-register/govai-coalition? t_ip=52.167.144.211

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I. DEFINITIONS AND TERMS

The City of Moreno Valley defines “artificial intelligence” or “AI” to be a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments.² AI systems use machine- and human-based inputs to perceive real and virtual environments; abstract such perceptions into models through analysis in an automated manner; and use model inference to formulate options for information or action.

The City of Moreno Valley defines an “AI system” to be any data system, software, hardware, application, tool, or utility that operates in whole or in part using AI.³ The following definitions will be used in this policy.

AI (Artificial Intelligence): Any algorithm for developing statistical, behavioral, logic-based, large language, neural network, or other models that use computers to perform tasks without explicit instructions. AI is a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments. AI systems use machine- and human-based inputs to perceive real and virtual environments; abstract such perceptions into models through analysis in an automated manner; and use model inference to formulate options for information or action. AI often relies on patterns and inferences to perform work, predict better outcomes, and mimic the operations of a human brain.

AI system: Any system, software, sensor, or process that automatically generates outputs including, but not limited to, predictions, recommendations, or decisions that augment or replace human decision-making. This extends to software, hardware, algorithms, and data generated by these systems, used to automate large-scale processes or analyze large data sets.

Algorithm: A set of steps, such as mathematical operations or logical rules placed in sequence to accomplish a task. Also a series of logical steps through which an agent (typically a computer or software program) turns particular inputs into particular outputs.

City Employee: Any person or entity compensated by the City or volunteering with the City. This includes, but is not limited to, full-time employees, part-time employees, interns, temporary employees, elected officials, volunteers, commissioners, consultants, contract employees, partners, vendors, contractors, people who may be leveraging AI systems to provide services, and other affiliates.

² Definition from [15 U.S.C. 9401\(3\)](#).

³ Definition from [United States Executive Order No. 14110 on Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence](#).

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Cognitive Behavioral Manipulation: AI-driven tools or algorithms designed to influence or alter an individual's decision-making process or belief system. These systems use psychological, behavioral, or emotional data to create targeted strategies that can manipulate thoughts, feelings, or actions, particularly focusing on vulnerable groups or individuals.

Covert Biometric Identification: The live identification of an individual using technologies including, but not limited to, facial recognition and iris scanning, without that individual's knowledge or meaningful consent.

Emotional Analysis: The use of computer vision techniques to classify human facial expressions, body movement, or language into emotions or sentiment (e.g. positive, negative, neutral, happy, angry).

Social Scoring: Artificial intelligence or algorithmic systems that aggregate and interpret an individual's personal data to assign a quantifiable score or rating that ranks them against other individuals and impacts their access to services, opportunities, or societal privileges. These systems are characterized by their use of data related to behavior, preferences, interactions, financial transactions, and other personal attributes which are not directly linked to the application of the score. They can be part of a comprehensive profile that is used to make significant decisions about an individual's rights, opportunities, or social standing.

Machine Learning: A type of AI in which computers use data to “learn” tasks through algorithms. The learning process is also called training.

II. GUIDING PRINCIPLES FOR RESPONSIBLE AI SYSTEMS

These principles describe the City of Moreno Valley’s values with regards to how AI systems are purchased, configured, developed, operated, or maintained.

1. **Human-Centered Design:** AI systems are developed and deployed with a human-centered approach that evaluates AI powered services for their impact on the public.
2. **Security & Safety:** AI systems maintain confidentiality, integrity, and availability through safeguards that prevent unauthorized access and use. Implementation of AI systems is reliable and safe, and minimizes risks to individuals, society, and the environment.
3. **Privacy:** Privacy is preserved in all AI systems by safeguarding personally identifiable information (PII) and sensitive data from unauthorized access, disclosure, and manipulation.
4. **Transparency:** The purpose and use of AI systems is proactively communicated and

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disclosed to the public. An AI system, its data sources, operational model, and policies that govern its use are understandable and documented.

5. **Equity:** AI systems support equitable outcomes for everyone. Bias in AI systems is effectively managed with the intention of reducing harm for anyone impacted by its use.
6. **Accountability:** Roles and responsibilities govern the deployment and maintenance of AI systems, and human oversight ensures adherence to relevant laws and regulations.
7. **Effectiveness:** AI systems are reliable, meet their objectives, and deliver precise and dependable outcomes for the utility and contexts in which they are deployed.
8. **Workforce Empowerment:** Staff are empowered to use AI in their roles through education, training, and collaborations that promote participation and opportunity.

III. ROLES & RESPONSIBILITIES

Several roles are responsible for enforcing this policy, outlined below.

- The Technology Services Manager is responsible for directing City of Moreno Valley technology resources, policies, projects, services, and coordinating the same with City of Moreno Valley departments. The Technology Services Manager shall actively ensure AI systems are used in accordance with this policy and Administrative Procedure #7.10 AI Usage.
- The Technology Services Manager is responsible for overseeing the enterprise security infrastructure, cybersecurity operations, updating security policies, procedures, standards, guidelines, and monitoring policy compliance.
- The Technology Services Manager is responsible for overseeing the enterprise digital privacy practices, data processing practices, and responsible usage of technology in compliance with this policy and the Administrative Procedure #7.10 AI Usage. The Technology Services Manager is responsible overseeing the privacy practices of AI systems used by or on behalf of the City of Moreno Valley.
- City Employees are responsible for following this policy and following updates to this policy and the Administrative Procedure #7.10 AI Usage and shall check compliance with these documents at least annually.
- The Deputy Compliance Director shall notify city departments when an update to this policy or Administrative Procedure #7.10 AI Usage is released.
- The City Attorney's Office is responsible for advising of any legal issues or risks

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associated with AI systems usage by or on behalf of City of Moreno Valley.

- The City Manager's Office or designee may, at its discretion, inspect the usage of AI systems and require a department to alter or cease its usage of AI systems or a partner's usage of AI systems on behalf of the department.
- The Purchase and Sustainability Division is responsible for overseeing the procurement of AI systems and requiring vendors to comply with City of Moreno Valley's policy standards through contractual agreements.

IV. POLICY

When purchasing, configuring, developing, operating, or maintaining AI systems, the City of Moreno Valley will:

1. Uphold the Guiding Principles for Responsible AI Systems.
2. Conduct an AI Review to assess the potential risk of AI systems. The Technology Services Manager is responsible for coordinating review of AI systems used by the City of Moreno Valley.
3. If available, obtain technical documentation about AI systems using the GovAI Coalition⁴ as a resource.
4. Require City Employees to comply with this policy and the Administrative Procedure #7.10 AI Usage overseen by Technology Services.
5. In the event of an incident involving the use of the AI system, the City of Moreno Valley will follow the Technology Services Incident Response Plan. The Technology Services Manager is responsible for overseeing the security practices of AI systems used by or on behalf of the City of Moreno Valley.

Prohibited Uses

The use of certain AI systems is prohibited due to the sensitive nature of the information processed and severe potential risk. This includes the following prohibited purposes unless necessitated by public safety per the Moreno Valley Police Department:

- Real-time and covert biometric identification.
- Emotion analysis, or the use of computer vision techniques to classify human facial and

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body movements into certain emotions or sentiment (e.g., positive, negative, neutral, happy, angry, nervous).

- Fully automated decisions that do not require any meaningful human oversight but substantially impact individuals.
- Social scoring, or the use of AI systems to track and classify individuals based on their behaviors, socioeconomic status, or personal characteristics.
- Cognitive behavioral manipulation of people or specific vulnerable groups.

If City Employees become aware of an instance where an AI system has caused harm, they must report the instance to their supervisor and the Technology Services Manager.

Sunset Procedures

If an AI system operated by the City of Moreno Valley or on its behalf ceases to provide a positive utility to the City's residents as determined by the Technology Services Manager, then the use of that AI system must be halted unless express exception is provided by the City Manager. If the abrupt cessation of the use of that AI system would significantly disrupt the delivery of City of Moreno Valley services, usage of the AI system shall be gradually phased out over time.

Public Records

The City of Moreno Valley is subject to the California Public Records Act. City Employees must follow all current procedures for records retention and disclosure.

Policy Enforcement

All City Employees operating AI systems on behalf of the City of Moreno Valley are required to abide by this Policy and the associated Administrative Procedure #7.10 AI Usage.

V. VIOLATIONS OF THE AI POLICY

Violations of any section of this policy, including failure to comply with the City of Moreno Valley's Administrative Procedure #7.10 AI Usage, may be subject to disciplinary action, up to and including termination. Violations made by a third party while operating an AI system on behalf of the City of Moreno Valley may result in a breach of contract and/or pursuit of damages. Infractions that violate local, state, federal or international law may be remanded to the proper authorities.