CONNECTICUT VOICES FOR CHILDREN

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BEYOND THE ALGORITHM

AI GOVERNANCE FOR BUILDING SAFE DIGITAL FUTURES

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- As individuals interact with the digital world, they develop a digital footprint–a complex mosaic of data that creates a detailed portrait of a user, when analyzed in aggregate.
- Pervasive data collection practices ensure that both online and offline activities contribute to these lasting digital footprints, often without users' full knowledge.
- AI's ability to process vast datasets at unprecedented speeds raises significant privacy and security concerns.
- Embedded bias in AI systems can exacerbate inequalities in critical sectors, including healthcare, education, finance, housing, and employment.
- Groups facing systemic disadvantage, including those defined by race, gender, ability, sexual orientation, and socioeconomic status are disproportionately affected by AI's negative impacts.[1]
- High rates of social media use among children and teens increase their exposure to data collection.
- 40 percent of children ages 8-12 use social media,[2] and one third of teens 13-17 years old report being on social media sites almost constantly everyday.[3]
- Children are particularly vulnerable to data exploitation and manipulation online.
- Many smart devices, interactive toys, and online platforms designed for children rely heavily on AI, and help to create detailed, digital records of sensitive personal information that can persist throughout an individual's life.
- Deceptive design tactics are widespread in digital platforms, especially those targeting children and teens.[4][5][6] These designs exploit cognitive biases to manipulate choices, often steering users toward actions that benefit platforms at the users' expense.[7]
- Over 30 states, including Colorado, Minnesota and Utah, have passed or proposed laws aimed at addressing growing concerns around AI
- More than 140 AI-related bills have been introduced to Congress, highlighting the urgency of AI regulation.

POLICY RECOMMENDATIONS

CENTER FAIRNESS, TRANSPARENCY, & DISCLOSURE

These recommendations aim to build public trust in AI by ensuring that users are aware of when and how AI systems are influencing their lives. By creating clear guidelines for transparency and disclosure, Connecticut can empower individuals with informed consent and control over their interactions with AI.

- Establish clear disclosure requirements ensuring individuals know when they are interacting with AI systems.
- Implement plain language guidelines for disclosures so users can easily understand how and when AI is being applied.
- Implement opt-out mechanisms that are accessible, easily understood, and allow users to limit data collection and AI training.

ENSURE ACCOUNTABILITY & BIAS MITIGATION

By establishing measures for bias detection and continuous monitoring, these recommendations seek to foster a more accountable AI ecosystem, where systems are regularly assessed for fairness. This accountability will help protect vulnerable populations from discriminatory practices and unintended biases that can perpetuate inequities.[8]

- Implement regular AI assessments and continuous monitoring to identify and mitigate harmful, biased and/or disparate outcomes when deploying AI systems.
- Establish and utilize a permanent AI working group that meets regularly to identify public concerns around the use of AI as it continues to develop and implement recommendations on how to address the most pervasive issues.
- Align definitions with international AI standards, which describe AI as machine-based systems producing outputs that can influence environments, with variations in autonomy and adaptability.[9]

PROMOTE DATA PROTECTION & PRIVACY

Strengthening data protections are essential for safeguarding individuals, particularly children, from the risks associated with extensive data collection and misuse. These recommendations aim to provide robust safeguards against data exploitation.

- Expand and strengthen data protections, with enhanced standards specifically focused on safeguarding children's data.
- Extend and enforce protections to prevent deepfakes and the non-consensual dissemination of AI-generated content.
- Pass legislation that provides a way for users to flag a party using AI or an AI system for review based on bias, discrimination, and/or misuse.

SUPPORT ETHICAL INNOVATION

To encourage responsible AI development, these recommendations focus on incentivizing ethical practices and providing educational resources. Supporting ethical innovation can foster a balanced approach that promotes growth and responsible use of AI without stifling smaller companies or startups.

- Incentivize innovation and promote “good actors” by establishing an AI technology grant program that sets high standards without excluding smaller companies and startups. To qualify, developers must meet state-established standards and demonstrate how their AI solutions address critical social challenges and contribute to the public good.
- Establish a regulatory sandbox to allow developers to test AI solutions in a controlled environment while addressing risks and ensuring compliance. A state task force would oversee the sandbox, using insights to inform future AI policies.
- Establish safe use of AI training programs for educators and students that focus on how to properly and safely use artificial intelligence as a supplementary classroom instruction tool.
- Develop and implement accessible ethical use training programs for state employees and the general public to promote responsible and informed engagement with AI technologies.

IMPLEMENT RISK-BASED & SECTOR-SPECIFIC REGULATION

Adopting a risk-based approach enables targeted regulation for high-impact AI applications while allowing for flexibility in lower-risk contexts. By aligning with international best practices, Connecticut can ensure AI applications in sensitive areas are appropriately monitored, building safety and fostering ethical compliance.

- Establish a regulatory body to oversee and enforce AI standards, ensuring regulatory consistency across jurisdictions.
- Adopt a comprehensive policy modeled after the AI Act in the EU to create a functional regulation process based on the risk category that an AI system falls into.
- Provide funding for the establishment of an AI safety review process.
- Model legislation after California, Texas, Minnesota and Washington that regulates how AI can be used in campaigns and elections, implementing disclosure requirements, and restrictions on using AI to falsely portray a candidate in a way that would influence an election.

ENFORCE CONSUMER PROTECTION

As AI expands into commercial spaces, measures are needed to safeguard consumers and ensure fair market practices, especially to protect against predatory pricing and other exploitative practices.

- Explicitly prohibit price fixing via artificial intelligence, algorithm or other technology.
- Build on SB 2 An Act Concerning Artificial Intelligence, recommendations from the AI Board, the AI Lab and existing AI legislation in other states to establish AI regulation for non-government entities.

1 Goel, H., & Chaudhary, G. (2024). Securing the digital footprints of minors: Privacy implications of AI. *Balkan Social Science Review, 23*, 235–260.

2 U.S. Department of Health and Human Services. (2023). *Social media and youth mental health: The U.S. Surgeon General's advisory*. https://www.hhs.gov/sites/default/files/sg-youth-mental-health-social-media-advisory.pdf

3 Anderson, M., Faverio, M., & Gottfried, J. (2023, December 11). T*eens, social media and technology 2023: YouTube, TikTok, Snapchat and Instagram remain the most widely used online platforms among U.S. teens.* Pew Research Center. https://www.pewresearch.org/internet/2023/12/11/teens-social-media-and-technology-2023/

4 Privacy and Access Council of Canada. (2024, July 9). *Privacy sweep finds majority of apps and websites use deceptive design to influence privacy choices, including sites targeting children.* https://pacc-ccap.ca/privacy-sweep-finds-majority-of-apps-and-websites-use-deceptive-design-to-influence-privacy-choices-including-sites-targeting-children/

5 Federal Trade Commission. (2022, September). *Bringing dark patterns to light.* https://www.ftc.gov/system/files/ftc_gov/pdf/P214800%20Dark%20Patterns%20Report%209.14.2022%20-%20FINAL.pdf

6 Federal Trade Commission. (2023, July 21). *Amazon.com (Alexa), U.S. v*. [Case no. 2:23-cv-00811-TL]. Western District of Washington. https://www.ftc.gov/legal-library/browse/cases-proceedings/192-3128-amazoncom-alexa-us-v

7 Federal Trade Commission. (2022, September). *Bringing dark patterns to light.* https://www.ftc.gov/system/files/ftc_gov/pdf/P214800%20Dark%20Patterns%20Report%209.14.2022%20-%20FINAL.pdf

8 Micheli, Lutz & Büchi (2018) *Digital footprints: an emerging dimension of digital inequality. Journal of Information, Communication and Ethics in Society, 16 (3)*, 242-251. www.emeraldinsight.com/1477-996X.htm

9 In AI legislation legislators should strive to utilize the Organization for Economic Co-operation and Development (OECD) definition for AI (commended by experts to be the most future forward wording) Organization for Economic Co-operation and Development. (n.d.). *Artificial intelligence.* Retrieved November 8, 2024, from https://www.oecd.org/en/topics/policy-issues/artificial-intelligence.html