
Generative Artificial Intelligence Use

346.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for department use of generative artificial intelligence (GenAI). This policy does not apply to artificial intelligence that is integrated into facial recognition applications, voice recognition applications, biometric access controls, or software that redacts documents or video or similar applications.

Additional guidelines for the use of department information technology resources are found in the City of Bozeman Administrative Orders.

346.1.1 DEFINITIONS

Generative artificial intelligence (GenAI) - Generative AI is defined as a deep learning model that can generate high quality content such as stories, images, voice replication, and music. Examples of Generative AI include but are not limited to: Barricade AI, Draft One, ChatGPT, DALL-E, and Google Gemini.

346.2 POLICY

The use of GenAI systems carries unique benefits within a law enforcement agency, providing ways to increase operational efficiency, enhance department procedures, and improve the overall effectiveness of the Bozeman Police Department.

However, the prompts input into GenAI systems can present risks to both individuals and law enforcement agencies by making accessible to the public information such as department tactics, investigative and training techniques, confidential information (e.g., confidential informants, protected information), active investigations, and security procedures. In addition, without safeguards in place, GenAI can produce unintended discriminatory or biased output as well as content that is inaccurate, misleading, or copyrighted.

It is the policy of the Department to develop, implement, and use GenAI ethically and responsibly in a way that minimizes potential risk and harm in accordance with the guidelines set forth below.

Any function carried out by a member of the Department using GenAI is subject to the same laws, rules, and policies as if carried out without the use of GenAI. The use of GenAI does not permit any law, rule, or policy to be bypassed or ignored.

This policy is not intended to apply to integrated AI tools such as using Google search function.

346.3 RESPONSIBILITIES

The Chief of Police and the IT Director, or an authorized designee, shall approve all GenAI systems, their acceptable uses, and their authorized user groups prior to the use, implementation, or development for any department functions.

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346.4 USE OF GENERATIVE AI

Upon approval by the Chief of Police, or their designee, members may be permitted to use Generative AI in the course and scope of their City employment.

Members authorized to use Generative AI in the course and scope of their employment must do so on a department account, accessible to the IT Department. Prompts inserted into Generative AI and the results given may be considered public information and subject to record retention requirements and disclosure. Therefore, it is necessary for authorized members to use a department account to ensure compliance with record retention policies.

Members who are authorized to use Generative AI must abide by the following:

a. Accuracy

Members are ultimately responsible for the content of their work. Should an employee use Generative AI in the course and scope of their employment, the employee must fact check any results produced for accuracy. Importantly, Generative AI may only contain information up to a certain date and therefore can produce an output that may be outdated or simply incorrect.

b. Confidentiality

Confidential information and personal identifiable information (PII) must never be shared with Generative AI. Since Generative AI is a relatively new tool, questions still exist about who owns data once it is submitted to Generative AI. It is possible that once data is submitted, the Generative AI system is the owner of the data. Further, it is difficult to know what happens to data once it is submitted to Generative AI. It is possible that confidential information could be released or shared with a third party. Additionally, entering PII into Generative AI may breach privacy laws such as HIPAA.

1. The Chief of Police and the IT Director, or designee, shall ensure appropriate contractual safeguards are in place to manage third-party use of department data and to restrict the use of input in AI training data sets. If the input of protected information is necessary for the proper use of the GenAI system, an information-exchange agreement in compliance with applicable rules and standards (e.g., CJIS requirements) should be used to outline the roles, responsibilities, and data ownership between the Department and third-party vendor.

c. Transparency

Members must be transparent if using Generative AI and must be able to demonstrate to their supervisor the extent to which Generative AI is used in the course and scope of their employment. Members must cite to Generative AI on any work product that requires citation as directed by their supervisor.

- (a) Department members shall include the following statement at the end of any document created with the use of Generative AI:

"I acknowledge this report was generated using Generative AI. I further acknowledge that I have reviewed the report in detail, made any necessary edits, and believe it to be an accurate

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representation of my recollection of the reported events. If needed, I am willing to testify to the accuracy of this report."

d. Bias

Generative AI creates content based on patterns and relationships the AI system learns from existing human knowledge. This means content created by Generative AI may have the same implicit bias that humans have. Members using Generative AI cannot trust that the output provided is accurate and free of bias. Members are responsible for any work product produced by Generative AI and as such must reconcile any bias that may exist

e. Copyright

If an employee is authorized to use Generative AI in the course and scope of their employment, the employee must ensure material is not subject to copyright, as Generative AI has the potential to infringe on a copyright owners' rights.

346.5 PROHIBITED USE

Members shall not use GenAI systems to rationalize a law enforcement decision, or as the sole basis of research, interpretation, or analysis of the law or facts related to a law enforcement contact or investigation.

Members shall not create user accounts in their official capacity or input work-related data (including information learned solely in the scope of their employment) into publicly available GenAI systems unless the system has been approved by the Chief of Police or the authorized designee for the intended use.

Members designated as "trainees" in any phase of the Field Training and Evaluation Program are not permitted to use GenAI software for any work-related tasks. However, Field Training Officers are authorized to use GenAI as a learning tool to support the trainee's general training responsibilities and knowledge.

346.6 TRAINING

The AI coordinator should ensure that all members authorized to use GenAI have received appropriate initial training that is suitable for their role and responsibilities prior to their use of GenAI and receive periodic refresher training. Training should include but is not limited to the following:

- (a) A review of this policy
- (b) The need for human oversight of GenAI outputs
- (c) The interpretation, review, and verification of GenAI output
- (d) Checking GenAI output for bias or protected information
- (e) Ethical use of GenAI technology
- (f) Data security and privacy concerns