390.01
ARTIFICIAL INTELLIGENCE USAGE
09-30-2025

Purpose

The purpose of this General Order is to provide guidelines for the responsible and ethical use of artificial intelligence (AI) technologies by the Sacramento Police Department (SPD).

Policy

It shall be the policy of the SPD that employees use AI technologies to enhance operational efficiency, improve decision-making processes, augment law enforcement capabilities, ensure the protection of individual rights and privacy rights, maintain public trust, and protect the integrity of police duties and investigations.

Procedure

A. DEFINITIONS

1. ALGORITHM – A series of logical steps through which an agent (typically a computer or software program) turns particular inputs into particular outputs. AI systems use different algorithms for different purposes.
2. ARTIFICIAL INTELLIGENCE (AI) – A collection of computer science methods that seek to create machines that mimic human intelligence.
3. BIAS OR DISCRIMINATION - Studies have shown that the accuracy of AI system outputs can be affected by algorithmic discrimination or biased data inputs.
   a. Algorithmic discrimination occurs when automated systems disfavor people based on demographic factors such as age, gender, and race of the subject.
   b. Data bias is the result of data inputs that are based on biased historical data or data that is too narrowly tailored to accurately represent the desired output.
      (1) An example of data bias can include geographic bias in predictive policing models, where predicted crimes are based solely on prior arrest reports rather than crimes reported by victims.
4. GENERATIVE AI – A type of AI that uses machine learning to generate text, images, graphics, presentations, language translation, statement transcription, audio, and video from user prompts or existing content.
5. MACHINE LEARNING – A subset of AI that uses algorithms to imitate intelligent human behavior without explicit computer programming.
6. PERCEPTIVE AI – A type of AI that captures, analyzes, and compares image data to images stored in a database.
7. PREDICTIVE AI – A type of AI that uses machine learning to analyze current and historical data (e.g., databases, images, reports, etc.) and uses that data and algorithms to predict future outcomes, trends, or behaviors.

B. GENERAL

1. The primary purposes of utilizing AI in law enforcement is to enhance public safety and support personnel in various public safety tasks that include, but are not limited to, predictive policing, data analysis, facial recognition, and license plate readers.
2. Employees shall use department AI systems only under the following conditions:
   a. For official law enforcement purposes.
   b. After they have received proper training.
3. Employees shall proactively review AI generated content for indications of bias or discrimination and take steps to mitigate its inclusion.
   a. Mitigation methods can include algorithmic auditing, bias testing, algorithmic transparency, and monitoring error rates.

4. Without contractual safeguards, information entered into or obtained from AI systems shall not be considered private or confidential and may become publicly available. Therefore, employees shall adhere to the following:
   a. Input of protected information shall only be authorized after the department has ensured appropriate contractual safeguards are in place to manage third-party use of department and law enforcement data.
   b. An information-exchange agreement in compliance with applicable rules and standards (e.g., Criminal Justice Information [CJI] database requirements) shall be used to outline the roles, responsibilities, limitations, and data ownership between the department and any third-party vendors.

C. <u>USE OF GENERATIVE AI</u>
1. Employees who use generative AI to create or alter content during an investigation or for official law enforcement purposes, shall receive supervisor approval before using, including but not limiting to, any of the following:
   a. A finished product.
   b. A photo or video of a department employee.
   c. Exception: Redaction of body-worn or in-car camera video for public release is exempt from this section.
2. Employees who use generative AI to create text or assist with transcription of audio or video shall review generated content for accuracy before using it in an investigation or for official law enforcement purposes.
   a. Employees shall include a statement in the final document or work product that indicates generative AI was used to aid in its production.

D. <u>USE OF PERCEPTIVE AI</u>
1. Perceptive AI search results and analysis shall be limited as follows:
   a. Shall only be considered investigative leads.
   b. Shall not be used as the sole basis for a detention, arrest, identification, or requesting a warrant of any kind.
2. Employees who use perceptive AI results or analysis as an investigative lead, shall document their use in an associated report or computer-aided dispatch log (if a report is not generated).
3. The use of facial recognition technology shall be in accordance with General Order 375.01 (Use of Facial Recognition Technology).
4. The use of license plate recognition technology shall be in accordance with General Order 525.08 (Use of Automated License Plate Reader and Public Safety Camera Network).

E. <u>USE OF PREDICTIVE AI</u>
1. Employees who use predictive AI to forecast criminal activity shall:
   a. Proactively review data inputs for the presence of data bias.
   b. Proactively review outputs to identify the presence of algorithmic bias.
   c. Take steps to mitigate the effects of any bias or discrimination.

F. <u>PROHIBITED USES OF AI</u>
1. Department AI systems shall not be used for any of the following:
   a. Harassing or intimidating any individual or group.
   b. To alter the likeness, voice, or other identifiable attributes of any current or former employee without the express consent of the individual depicted.
   c. Personal use, queries, or creation of material not related to legitimate department duties, sharing, copying, or the passing of information to unauthorized personnel.
   d. Any other purpose, access, use, disclosure, or retention that would violate this general order, any applicable local, state, or federal law.

  e. Conducting surveillance of persons or groups based solely on religious, political, or other constitutionally protected activities, race, religion, ethnicity, citizenship, nation of origin, age, disability, gender, gender identification, sexual orientation, or other protected classification.

 2. Unless contractual safeguards are in place to protect the privacy of all persons (e.g., victims, suspects, witnesses, etc.) employees are prohibited from uploading any sensitive information into a publicly accessible AI platform including:

  a. Personally Identifiable Information (PII).

  b. Criminal Offender Record Information (CORI).

  c. Criminal Justice Information (CJI) database information.

  d. Health Insurance Portability and Accountability Act (HIPPA) information.

G. TRAINING

 1. Prior to using department AI systems, employees shall have received appropriate training that is suitable for their role and responsibilities, and participate in periodic refresher training, which includes, but is not limited to:

  a. A review of the City of Sacramento's Artificial Intelligence Policy.

  b. A review of this order.

  c. The need for human oversight of AI-generated results.

  d. The interpretation, review, and verification of AI-generated results.

  e. Reviewing AI-generated results for bias or protected information.

  f. Ethical use of AI technology.

  g. Data security and privacy concerns.

H. COMPLIANCE

 1. Public Safety Information Technology (PSIT) shall be responsible for:

  a. Coordinating with the City of Sacramento Information Technology Division to ensure that SPD AI systems are procured and used in accordance with the City of Sacramento's Artificial Intelligence Policy and Information Security Policy.

  b. Ensuring that the SPD engages the City of Sacramento's Artificial Intelligence Officer (AIO) before seeking to procure new technology and data initiatives that involve an AI system.

 2. PSIT shall audit each approved AI system utilized by the department on an annual basis to:

  a. Evaluate the performance and effectiveness of each system.

  b. Evaluate the accuracy of each system.

  c. Ensure that AI systems are accessed and used in accordance with this order.

  d. Ensure that data generated by AI systems is not sold, shared, or transferred except as otherwise permitted by law.