Automated Decision-Making Systems (ADS) Workgroup Meeting

October 7, 2021
Agenda for October 7, 2021 Meeting

Agenda

2:30  Welcome and administrative updates – Katy Ruckle
2:40  Review and Discussion of Report Draft and Recommendations – All members
4:00  Other Workgroup Discussion – All members
4:10  Answers to Open Tasks – Assigned work group members
4:20  Open Discussion
4:30  Adjourn
Welcome and Administrative Updates
Administrative Updates

- Timeline Reminder

- Jul 15: WG Kick-off
- Aug - Oct: Draft Report
- Nov 10: Draft Due to Governor
- Thru End of Nov: Finalize Report with Gov Office
- Dec 1: Final Report Due to Legislature
Review and Discussion of Report Draft
Preliminary Draft Report

Distributed via email to work group members

Table of Contents

Workgroup Member Input Received:

- ACLU
- David Luxton

Background
Purpose
Membership
Proviso Directions

Meetings
System selection
Methods of ADS Workgroup
System Review

Recommendations
Challenges for policy change considerations
Impact of recommendations
Other considerations

Relevant Proviso Details
Definition of automated decision system
Authorizing statute

Contact
Report Content Discussion

Is there a consensus about best practices for addressing the benefits and risks of ADS systems?
Findings Section?
ADS Landscape?
What other jurisdictions are doing section?
Named framework?
Identified assessment tool? To be performed by who?
Conclusion?
Proviso details

Are there changes needed regarding the development, procurement, and use of ADS by state agencies?

If yes, what types of changes?

Development?

Procurement?

Use?

How can ADS be reviewed before adoption?

How can ADS be reviewed while in operation?

Audited to ensure ADS is fair, transparent, and accountable?

How can state ensure ADS does not improperly advantage or disadvantage particular residents?
Recommendation #1

As a part of the procurement process, assess new ADS systems procured by the state that are intended to profile or predict a natural person’s behavior. The assessment should include evaluation of the potential impacts of the automated decision-making on the risk to rights and freedoms to natural persons.
Recommendation # 2

Automated decision-making systems used by the state that produce legal affects on natural persons should be assessed if they are processing sensitive data on a large scale.
Recommendation #3

Require transparency of use of automated decision-making systems that produce legal affects on natural persons.
Recommendation #4

The state should adopt a framework to evaluate state agency use of ADS technology or use of artificial intelligence-enabled profiling to determine whether or not its use should be prohibited.
Recommendation #5

Ongoing monitoring or auditing should be performed on ADS systems that have legal effects on natural person’s to ensure they do not discriminate against an individual, or treat an individual less favorably than another, in whole or in part, on the basis of one or more factors enumerated in [RCW 49.60.010](https://laws.wa.gov/code/).
Other Considerations Listed in Proviso

- Changes in procurement of automated decision systems, including when the procurement must receive prior approval by the office of the chief information officer.
- How to review, identify, and audit systems to ensure that the system prior to procurement and after placed into service does not discriminate against an individual, or treat an individual less favorably than another, in whole or in part, on the basis of one or more factors enumerated in RCW 49.60.010.
- How to provide public notice when ADS technology is in use and how to appeal decisions.
- How ADS data should be stored and whether such data should be shared outside the system.
Workgroup Discussion
Answers to Open Tasks – Assigned work group members
<table>
<thead>
<tr>
<th>Action Item*</th>
<th>Description</th>
<th>Person Responsible</th>
<th>Deadline</th>
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</thead>
<tbody>
<tr>
<td>05.02</td>
<td>Create a draft report/outline and send document via email.</td>
<td>Katy Ruckle</td>
<td>10/04/21: Completed– Draft report emailed to work group members 10-4-21</td>
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<td>05.03</td>
<td>Submit their agency/organization logo to Katy Ruckle.</td>
<td>All Workgroup Members</td>
<td>10/21/21: ongoing</td>
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<td>05.04</td>
<td>Conduct outreach to identify any systems an agency would be willing to review for the report.</td>
<td>State Agency Workgroup Members</td>
<td>10/07/21: Completed – Request discussed at multiple mtgs.</td>
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<td>05.05</td>
<td>Identify and share resources on equity-based audits from the Poverty Reduction Workgroup.</td>
<td>Nancy Aguilar</td>
<td>10/07/21: Completed – Materials provided to be distributed to workgroup</td>
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<td>06.01</td>
<td>Provide the workgroup with additional resources and insight on the Risk Needs Responsivity Model and its relevance to other risk assessments.</td>
<td>Courtney Bagdon-Cox</td>
<td>10/21/21: Completed – materials provided to be distributed to workgroup – See links next slide and .pdfs on website for 10-7-21 mtg materials</td>
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<td>06.02</td>
<td>Further discuss ADS report and recommendations in small groups if needed.</td>
<td>ADS Workgroup, Small Group TBD</td>
<td>10/21/21: Ongoing</td>
</tr>
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<td>06.03</td>
<td>Contribute towards report writing.</td>
<td>ADS Workgroup, Small Group TBD</td>
<td>11/01/21: Ongoing</td>
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Action Item 6.01 from DOC re WA One system


Open Discussion
Thank you!