

MENDOCINO COUNTY POLICY #61	Use of Artificial Intelligence (AI)
ADOPTED:	ADOPTED BY:

1. Overview:

The use of Artificial Intelligence (AI) technologies offers significant opportunities for County staff to improve productivity. From analyzing complex instructions and generating unique images for flyers to assisting with advanced spreadsheet formulas, AI tools can streamline and enhance many routine tasks.

However, these tools also present privacy, security, and ethical risks if misused. This policy establishes guidelines for the appropriate and responsible use of AI technologies by county employees, contractors, and authorized users, hereinafter referred to as AUTHORIZED USER(S).

2. Purpose:

The purpose of this policy is to: ensure the responsible use of AI tools, protect the privacy and security of County data, comply with applicable laws and regulations, and provide clear expectations and boundaries for the use of AI tools by AUTHORIZED USER(S).

3. Scope:

This policy applies to any use of AI systems or tools, cloud-based, on-premises, or embedded, whether developed internally or procured from third parties by all AUTHORIZED USER(S).

This policy does not apply to personal or non-County use of AI tools unless such use occurs on County-managed devices or systems.

MENDOCINO COUNTY POLICY #61	Use of Artificial Intelligence (AI)
ADOPTED:	ADOPTED BY:

4. **Definitions**

Artificial Intelligence (AI)

The simulation of human intelligence processes by machines, especially computer systems, including learning, reasoning, and self-correction.

California Consumer Privacy Act (CCPA)

The California Consumer Privacy Act is a privacy law enacted in 2018 that grants California residents more control over the personal information that businesses collect about them. It also includes data protection responsibilities on certain entities conducting business in California.

Criminal Justice Information Services (CJIS)

The Criminal Justice Information Services Division is a part of the FBI that provides a range of services and tools to law enforcement and criminal justice agencies.

Ethical AI Use

The practice of using AI in a manner that respects human rights, avoids harm, ensures fairness, and promotes accountability.

Health Insurance Portability and Accountability Act (HIPAA)

The Health Insurance Portability and Accountability Act (HIPAA) of 1996 establishes federal standards protecting sensitive health information (PHI) from disclosure without patient's consent.

National Institute of Standards and Technology (NIST)

The National Institute of Standards and Technology is a federal agency that develops cybersecurity standards, guidelines, best practices, and other resources to meet the needs of U.S. industry, federal agencies, and the public.

Personally Identifiable Information (PII)

Any data that can be used to identify an individual, such as names, addresses, social security numbers, or biometric records.

Protected Health Information (PHI)

PHI refers to any information that relates to an individual's health status, medical history, or treatment. PHI is HIPAA protected health information and is often called HIPAA data.

Use Case

A specific task or problem for which AI technology is applied to deliver a result or improvement.

MENDOCINO COUNTY POLICY #61	Use of Artificial Intelligence (AI)
ADOPTED:	ADOPTED BY:

5. Policy:

5.1 General Use

AI tools and systems may be used only for functions that directly support County operations, services, or analytical needs, and must align with County values and legal requirements. Approved uses include but are not limited to:

- 5.1.1 Drafting non-final content, such as memos, reports, or meeting summaries, subject to staff review.
- 5.1.2 Pattern detection for operational improvements, subject to human validation.
- 5.1.3 Public-facing virtual assistants that comply with all appropriate disclosures and privacy controls.
- 5.1.4 Summarizing, analyzing, or visualizing public datasets.

5.2 Prohibited Use

Use of AI tools and systems are governed by all applicable County policies, including but not limited to MENDOCINO COUNTY POLICY #22: INFORMATION TECHNOLOGY (IT) POLICY and MENDOCINO COUNTY POLICY #58: INFORMATION TECHNOLOGY POLICY ACCEPTABLE USE. Prohibited uses include but are not limited to:

- 5.2.1 Generating communications that represent official County policy, legal interpretation, or formal direction without review and verification.
- 5.2.2 Any application that may lead to discrimination, bias, or inequitable service delivery.
- 5.2.3 Uploading, transmitting, or processing sensitive data, including Personally Identifiable Information (PII), Protected Health Information (PHI), financial information, or legally protected records, without explicit authorization from the County IT Division.

MENDOCINO COUNTY POLICY #61	Use of Artificial Intelligence (AI)
ADOPTED:	ADOPTED BY:

5.3 Data Security and Privacy

- 5.3.1 Use of AI tools must comply with all applicable County cybersecurity and acceptable use policies and procedures.
- 5.3.2 AI tools must not receive access to sensitive data unless the tools are secured through encryption, access controls, appropriate contract terms, and are approved by the County IT Division.
- 5.3.3 Any vendor providing AI tools and/or services to the County must agree to applicable data protection standards consistent with, but not limited to, CCPA, HIPAA, and CJIS requirements, and/or NIST frameworks.

5.4 Transparency and Accountability

- 5.4.1 Employees are fully responsible for all content and analysis generated from the use of AI tools and systems.
- 5.4.2 Employees must disclose the use of AI-generated content in reports or official communications when the source of the content may impact its interpretation, accuracy, credibility, or influence decision-making or public understanding.
- 5.4.3 Output generated by AI systems is subject to all applicable public privacy laws and public records policies.
- 5.4.4 Outputs from AI tools shall not be treated as final or authoritative without human review and verification.

6. Maintenance:

This policy shall be reviewed annually by the Information Technology Division. Revisions must be reviewed and approved by the County Executive Office.

MENDOCINO COUNTY POLICY #61	Use of Artificial Intelligence (AI)
ADOPTED:	ADOPTED BY:

7. Compliance:

- 7.1 Any authorized user found to have violated this policy may be subject to disciplinary action, up to and including termination of employment or contract in accordance with applicable MOU provisions and subject to the authority of the Department, Office, or County operation.
- 7.2 Mendocino County Sheriff’s Office (MCSO) is authorized to use AI tools and systems as necessary for law enforcement purposes and has sole authority over the security and monitoring of MCSO specific data, and AI tools and systems.
- 7.3 All Users, including MCSO must comply with all applicable laws, regulations, and policies related to the use of AI tools and systems.
- 7.4 All AI tools and systems must be approved for use by the County IT Division.
- 7.5 The County IT Division will maintain an inventory of approved AI tools for use by AUTHORIZED USERS.

8. Additional Definitions and Concepts:

Algorithmic Bias

Systematic and repeatable errors in AI systems that create unfair outcomes, often due to biased training data or flawed assumptions in model design.

Data Sensitivity

The classification of data based on its level of confidentiality, from public to restricted or confidential.

Public Data: This is data that is legally available publicly or data that has been published by the County for public consumption.

General Data: This is County data that has neither been classified as public nor sensitive.

Sensitive Data: Sensitive data is defined as data that contains information protected by regulatory frameworks including but not limited to CJIS, FTI, HIPAA, and PCI.

Generative AI

A class of AI models capable of generating text, images, code, or other content in response to user input.

MENDOCINO COUNTY POLICY #61	Use of Artificial Intelligence (AI)
ADOPTED:	ADOPTED BY:

Inference

The process by which an AI model applies what it has learned from training data to new data or prompts to generate a result or decision.

Large Language Model (LLM)

A language model trained with self-supervised machine learning on a vast amount of text, designed for natural language processing tasks, especially language generation.

Machine Learning (ML)

A subset of AI that enables systems to learn from data and improve their performance over time without being explicitly programmed.

Model Hallucination

When an AI system generates content that is factually incorrect or fabricated yet presented as plausible.

Prompt

A user-supplied input or question given to an AI tool to generate a response or output.

Risk Assessment

The evaluation of potential harms or adverse impacts associated with a particular AI application, including data exposure, discrimination, or inaccuracy.

Training Data

The data used to teach an AI model to recognize patterns or make predictions.