



February 29, 2024

General Law Committee  
Legislative Office Building, Room 3500  
Hartford, CTT 06106

Dear Chair Looney and members of the Committee:

Chamber of Progress, a tech industry coalition promoting technology's progressive future, urges you to **amend SB 2**, which would hinder the adoption of innovative AI technologies without addressing the panoply of discriminatory harms.

Our organization works to ensure that all Americans benefit from technological leaps. Our corporate partners include companies like Google, Meta, Snap and Amazon, but our partners do not have a vote on or veto over our positions.

AI has tremendous potential for improving education, enabling creative expression, and creating new business opportunities. So it is critically important that public policy promotes the broad and equitable distribution of these innovations.

Accordingly, policymakers should avoid policies that would counterproductively slow adoption of AI technologies. SB 2 defines artificial intelligence as "technology ... that uses data to train an algorithm or predictive model for the purpose of enabling a computer system or service to autonomously perform any task, including ... visual perception, language processing or speech recognition," which would encompass many everyday consumer software products while ignoring offline, real-world sources of potential discriminatory conduct.

The sponsors of SB 2 are justly concerned about civil rights abuses, particularly discrimination in housing, employment or lending. Historically marginalized communities have faced repeated discrimination in these areas and many more, and as such we applaud the sponsors for their attention to these critical matters of social justice.

However, pinpointing the source and catalyst of discriminatory outcomes of an AI system is not always possible, nor is consistently determining who or what is responsible for the act of discrimination.<sup>1</sup> The roots of bias may be in the data used to train a model—which could be laden with human-created biases—or the human who rubber stamps the outcome of an automated decision tool - or from any number of other sources. Regardless of origins, there must be avenues to address circumstances of discrimination that are consistent whether the abuse is online or offline.

### **Tech companies also oppose discrimination**

Unfairly biased outcomes are problematic for developers, deployers, and end-users alike. Tech companies are increasingly investing in internal teams for proactive bias detection and mitigation in their products. Google, for example, has implemented their 'Responsible AI Practices'.<sup>2</sup> The initiative encompasses detailed guidelines for evaluating training metrics in machine learning models, including a thorough examination of the training data itself. Google's practices also emphasize a human-centric approach to AI development. Prioritizing safe and inclusive user experiences remains a top commitment for the tech industry.

In light of the substantial private-sector work to advance responsible AI development, we appreciate the authors including a safe harbor provision.

### **Policymakers should prioritize regulation of government use of AI tools in the most sensitive cases**

Public sector use of AI has a unique potential for civil rights harms. For example, burgeoning use of automated decision making tools in criminal justice warrants careful oversight by policymakers. We encourage you to focus your efforts on governmental use of AI, while we continue to study and understand private sector uses of AI tools and what, if any, regulations may be called for in the future. This

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<sup>1</sup> John Villasenor, Artificial Intelligence and Bias: Four Key Challenges, BROOKINGS (Jan. 3, 2019), <https://www.brookings.edu/articles/artificial-intelligence-and-bias-four-key-challenges/> (“An additional challenge is that biases can be created within AI systems and then become amplified as the algorithms evolve.”).

<sup>2</sup> Google, Responsible AI Practices, AI.GOOGLE, <https://ai.google/responsibility/responsible-ai-practices/>.

approach is consistent with the balance struck in the 2023 White House Executive Order on Artificial Intelligence<sup>3</sup>.

### **Strengthening consumer and civil rights law to protect the public**

SB 2 is designed to address potential discrimination from artificial intelligence systems, including automated decision making, in employment, housing and other areas. To reiterate, we agree that discrimination is wrong, but focusing exclusively on AI systems ignores offline discrimination. A better approach is to strengthen existing civil rights law protections in the Connecticut code to ensure that the most vulnerable members of society are protected online and offline.

For these reasons we encourage you to **amend SB 2**.

Sincerely,

Aden Hizkias  
Policy Analyst  
Chamber of Progress

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<sup>3</sup> See Executive Order on the Safe, Secure, and Trustworthy Development of Use of Artificial Intelligence. <https://www.whitehouse.gov/briefing-room/presidential-actions/2023/10/30/executive-order-on-the-safe-secure-and-trustworthy-development-and-use-of-artificial-intelligence/>