

Summary of April 2024 NYC AI Public Listening Sessions

Background

The NYC Artificial Intelligence (“AI”) Action Plan outlined seven key initiatives aimed at supporting effective and responsible use of AI across city government – together encompassing 37 specific, actionable steps the city will take in the coming months and years.¹ Initiative Three of the Plan aimed broadly to “Foster Public Engagement” – to empower New Yorkers with information about AI and the city’s efforts, and to gauge and integrate their interests and concerns in key areas. Among the actions included is a commitment to “hold a set of introductory public listening sessions to tap the ingenuity of New York’s diverse population to shape the city’s next steps on AI and understand residents’ key concerns and priorities.” The Plan further commits, as follow-up actions, to briefing internal stakeholders on the findings from these sessions, and to issuing a public summary.

Format and Content of Listening Sessions, Written Comment Solicitation

In April 2024, the NYC Office of Technology and Innovation (OTI) issued a written Request for Comment, and conducted an initial set of public listening sessions, both soliciting feedback on two particular guidance documents issued in March 2024: the city’s AI Principles and Definitions, and its Generative AI Preliminary Use Guidance.² Listening sessions were modeled after those conducted in November 2021 by the White House Office of Science and Technology Policy, in conjunction with a written Request for Information on Public and Private Sector Uses of Biometric Technologies, as part of the broader development of the Biden Administration’s Blueprint for an AI Bill of Rights.³

The city’s request for written comment was issued on April 8, via OTI’s website.⁴ Three public listening sessions were held virtually, via Zoom, on April 16, 17, and 19, and were open to all who registered. Both the written comment solicitation and virtual listening sessions were promoted via OTI’s social media and Mayor Adams’ weekly newsletter. Each hour-long live session consisted of a brief

¹ The NYC AI Action Plan can be found at: <https://www.nyc.gov/assets/oti/downloads/pdf/reports/artificial-intelligence-action-plan.pdf>

² The Artificial Intelligence: Principles and Definitions guidance can be found at: <https://www.nyc.gov/assets/oti/downloads/pdf/about/artificial-intelligence-principles-definitions.pdf> ; the Generative AI Preliminary Use Guidance: Generative AI document can be found at: <https://www.nyc.gov/assets/oti/downloads/pdf/about/preliminary-use-guidance-general-artificial-intelligence.pdf>

³ The Blueprint for an AI Bill of Rights can be found at: <https://www.whitehouse.gov/ostp/ai-bill-of-rights/> More information about OSTP’s listening sessions and other public engagement efforts can be found at: <https://www.whitehouse.gov/ostp/ai-bill-of-rights/listening-to-the-american-people/>

⁴ OTI’s webpage soliciting comments can be found at: <https://www.nyc.gov/content/oti/pages/artificial-intelligence/ai-principles-and-definitions-guidelines>

presentation by OTI staff on the NYC AI Action Plan and the two guidance documents on which feedback was being sought. Following those presentations, OTI opened the floor for comments from the public.

At the end of its presentation, the OTI team also shared brief information about the city's plans to conduct further public engagement, and invited participants to email the OTI team if they were interested in being notified about those upcoming events.

Both the written public comment solicitation, and the listening session presentations outlined key questions on which the city was seeking public input. These included the following:

AI Principles and Definitions Questions:

- Are the principles understandable, as written?
- Do the principles accurately and fully “reflect the particular needs and priorities of New York City, its agencies, and its residents” related to city use of AI, as stated in the city’s AI Action Plan?
- Are the principles, as outlined, sufficiently practical for application across the diversity of AI uses that exist within city government?
- Are the definitions understandable, as written?
- Does the set of definitions included capture the full set of terms needed for the development of city policy and guidance?
- Is each individual definition both accurate and comprehensive enough to be used for policymaking?
- Do the definitions, as written, comport well with those used at other levels of government or across other organizations, such that they avoid conflicts in the development or implementation of policy?

Generative AI Preliminary Use Guidance Questions:

- Do the guidance categories included (Cybersecurity, Information Privacy, Trustworthiness, and Transparency) adequately cover the key areas of concern for agency use?
- Is the guidance provided under each individual category clear and comprehensive enough to address the relevant area?
- Given the fast pace of developments in generative AI, how often should this use guidance be updated?

Participation and Summary of Comments

A total of 37 participants joined the live meetings or submitted written comments in response to the city’s solicitation. This included New York City residents without a stated affiliation, as well as a mix of representatives from government, industry, academia, and civil society.

A number of participants expressed broad concern about the risks AI technologies can pose in terms of privacy, data security, reliability, fairness, bias, transparency, and diminished human input in decision-making. Likewise, some participants emphasized broad concern to ensure the city’s efforts are as inclusive as possible and incorporate community perspectives and needs. And participants made a wide

range of suggestions to mitigate these risks and concerns, including applying a human rights framework to city considerations related to AI, integrating impact assessments and termination protocols, expanding the range of information reported publicly about city AI tools, and creating an independent oversight entity for city AI work.

Several participants suggested expanding the terms the city has included in its Principles and Definitions guidance to include terms related to AI's potential for bias or harm, or to support greater engagement by non-experts, or by stakeholders in non-AI fields. For example, one participant suggested adding such terms as: "algorithmic bias," "black box," "misinformation," "disinformation," "underfitting of data," and "overfitting of data" to support critical engagement by residents. Another participant suggested including terms related to the use or creation of synthetic data with AI systems, and the risks it may present. And in a similar vein, a participant also suggested providing diagrams of AI architectures, in addition to providing definitions, in order to support greater understanding and critical engagement from non-experts.

On the topic for the Generative AI Preliminary Use Guidance, one participant suggested use of emerging instruments or standards being used to track the trustworthiness of generative AI tools, such as standards published by the International Standards Organization (ISO).⁵ The participant suggested that requiring these of city agencies, or city vendors, could help align requirements, and support oversight mechanisms such as auditing. An additional participant suggested referencing standards outlined in the Universal Guidelines for AI (UGAI), integrating New York City Local Law 144, governing the use of Automated Employment Decision Tools in the set of "Related Laws" referenced in Section 8.1 of this document, and making the broader set of items included in the document as "guidance" mandatory policy for city agencies.⁶

In addition to these direct responses to the city's questions, participants asked a range of clarifying questions about the format and requirements of the public comment and future listening sessions, and about what the city plans to do with the feedback received. Additionally, there were several questions and comments that touched on topics that were outside the scope of the questions asked by the city. These included broad questions about how the city is thinking about the workforce impacts of AI for New York City as a whole, and about how greater use of AI within the local economy may result in a reduced labor supply and tax revenue for the city, as well as potential loss of benefits for workers who begin to adopt shorter work weeks. Some participants also asked about how vendors working in AI might best reach out to the city with interest in contracting opportunities. The OTI team responded live in the virtual meeting to logistical questions about the public comment and listening sessions. Participants with questions outside the scope of the solicitation were encouraged to reach out to the OTI AI team directly at ai@oti.nyc.gov, where they were individually addressed.

⁵ For more on the ISO, see <https://www.iso.org/home.html>

⁶ The Universal Guidelines for AI can be found at: <https://thepublicvoice.org/ai-universal-guidelines/> ; for more on Local Law 144, see: <https://www.nyc.gov/site/dca/about/automated-employment-decision-tools.page>

Lessons for Future Sessions

As this initial set of sessions represented the city's first public engagement effort under the AI Action Plan, an important component for the city team was to learn from the effort about how best to plan and implement future engagement initiatives. Key learnings from these sessions included:

- a) The open, virtual format, offered at a range of days and times successfully drew from a broad range of stakeholder groups.
- b) The virtual format functioned well, as implemented, with no participants reporting difficulty accessing the sessions.
- c) In order to encourage greater participation, additional lead time for issuing comment solicitations and communicating about public meetings, as well as expanding outreach channels, will likely be helpful.
- d) Incorporating additional formats that allow for more back-and-forth exchange between the city and participants will likely be helpful to expanding the types of feedback that can be provided, and to developing relationships and trust between the city and residents. As noted, the city is planning a set of small, community-based sessions for the coming months, to this end.