



OFFICE OF THE
STATE AUDITOR

News Release

For Immediate Release

February 1, 2021

**Office of the State Auditor Announces the Release of
Key Recommendations from the
Commission on Protecting Privacy and Preventing Discrimination**

*A Set of Principles and Related Questions Help State and Local Governmental Entities to More
Wisely Procure Emerging Software Technologies*

Salt Lake City, UTAH –

The Office of the State Auditor (Office) announces the release of two documents from the Commission on Protecting Privacy and Preventing Discrimination (Commission). The Commission was formed by State Auditor John Dougall in June 2020 to review the Attorney General’s contract with Banjo and its public safety application that posed several complex technical and societal issues, including issues of privacy and potential algorithmic bias.

The two documents are intended to help State and local government entities that are considering the procurement of advanced software technology:

- Software Application Procurement Principles for Utah Government Entities (Principles)
- Questions from the Commission on Protecting Privacy and Preventing Discrimination (Questions)

These documents are intended to help government entities with their procurement of advanced software technologies that have the potential to impair the privacy of Utahns or could lead to discrimination against them.

The Commission recommends that government entities apply the outlined principles as they procure commercial software or engage in development of custom software applications that use, gather or consolidate personally identifiable information or other sensitive data. These principles are most suited to emerging technologies, such as artificial intelligence or machine learning. These technologies may not have a long, well-understood history in software application. The principles also help with vendor evaluation, especially “startups” or young, unproven vendors.

Entities are encouraged to include the applicable questions or queries in their Requests for Proposal and Requests for Information and in appropriate proposal scorecards. The Office

acknowledges that these are complex topics and may require subject matter expertise to effectively evaluate proposals.

Various Commission members shared their perspective on the Commission and their recommended Principles and companion Questions.

Jeanetta Williams, President, NAACP Salt Lake Branch: *“I appreciate the Commission's concern in addressing measures to help prevent discrimination. Technology is growing increasingly powerful and it is very easy for discrimination to be perpetuated unless our public entities are careful to prevent it. These Principles and companion Questions will help our government entities to be wise in their procurement of advanced technologies.”*

Professor Suresh Venkatasubramanian, School of Computing at the University of Utah: *“As a researcher thinking about the social impact of AI, I was grateful for the opportunity to participate in this much-needed and forward thinking effort. I expect that the report that we have produced will provide very effective guidance for state agencies, and places Utah at the forefront of efforts around transparency, privacy protection and bias reduction, especially when using new AI-based technologies.”*

Rosie Rivera, Sheriff of Salt Lake County: *“The findings and recommendations made by the commission will ensure that law enforcement agencies are protecting the privacy of individuals, preventing discrimination and at the same time improving the process of vetting vendors”*

Sara Jones, President of InclusionPro: *“This was my first opportunity to work with Auditor Dougall and I was pleased to see how commission members' perspectives were heard and valued. Auditor Dougall very thoughtfully built the commission with a wide range of stakeholders in mind to represent the state's interests. Commission leaders handled the technology, privacy, and bias issues with alacrity as well as deftly managing the sensitive nature of the topics. While the Principles coming from this commission will benefit government procurement efforts, they are valuable to any tech company seeking to work with organizations that require high public fidelity.”*

Amy Knapp, Vice President, Information Security and Compliance, O.C. Tanner: *“Being a member of the commission was an unparalleled experience, bringing together the state's brightest and best, privacy-conscious people in our industry. My participation affirmed my stance on the necessity of involving subject matter experts in the procurement, sourcing, and intended use of technologies in the personal privacy era we have entered. With the deliverables from the commission, it will empower our State representatives with future-proof guides and advisories to avoid the circumstances as to what initially brought us together.”*

Daniel Hardman, Principal Ecosystem Engineer at SICPA: *“I'm thrilled that Utah has invested in a thoughtful exploration of the intersection between privacy, discrimination, machine learning, and other forms of new technology. The commission identified a number of principles that will safeguard citizens and make law enforcement dollars maximally effective.”*

State Auditor John Dougall: *"I appreciate the months of work contributed by Commission members since last summer. As we began our work, it became clear that the availability of some clear, thoughtful principles aimed at these emerging technologies would be a powerful resource for Utah's government agencies. As the depth of expertise on the commission would not be easy to re-create for every potential contract for every agency or entity, these new documents help capture that expertise for use statewide to help protect Utahns' privacy and prevent discrimination against them."*

The news release and both documents are found at auditor.utah.gov.

"Software Application Procurement Principles for Utah Government Entities" can be found at <https://auditor.utah.gov/wp-content/uploads/sites/6/2021/02/Office-of-the-State-Auditor-Software-Application-Procurement-Principles-Privacy-and-Anti-Discrimination-Feb-2-2021-Final.pdf>

"Questions from the Commission on Protecting Privacy and Preventing Discrimination" can be found at <https://auditor.utah.gov/wp-content/uploads/sites/6/2021/02/Office-of-the-State-Auditor-Questions-to-help-Procuring-Agencies--Entities-with-Software-Procurement-Feb-1-2021-Final.pdf>

About the Office of the State Auditor

The Office of the State Auditor provides Utah taxpayers and government officials with an independent assessment of financial operation, statutory compliance, and performance management for state and local government.

Specific activities of the Office include performing financial audits, conducting federal funds compliance audits, providing local government oversight, conducting agency and program performance audits, performing fraud and compliance audits, and operating the State Auditor Hotline for citizens to report suspected financial issues or improprieties. These capabilities strengthen Utah State Government and help taxpayers have confidence in the integrity of Utah's government agencies.

The Office also provides interactive graphical tools to help taxpayers and policymakers gain greater insight into governmental financial activities.

The State Auditor is a Constitutional Officer of the State of Utah, elected directly by the state's citizens every 4 years. The role of the Utah State Auditor is authorized in Article VII, Section 15 of the Utah Constitution. For more information, see auditor.utah.gov.

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