



ORCAA

# Comments to Vermont State Legislature

April 28, 2021

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# ORCAA's Principles

1

Context  
matters

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Putting the  
'science' in data  
science

3

Ethics cannot  
be automated

# Thoughts on Definitions

- “Algorithm” doesn’t need to be fully automated, or computerized. How is it being used? The context matters.
- Unfairness: “...to discriminate *against any individual* on the basis of...”
  - In our audits we focus mostly on statistical discrimination -- differences between groups on average

# Focus on Procurement

- This is a smart way to exert some control
- Key provision: any algorithm procured / licensed by the State should be open to an audit. Nothing in the contract should prohibit this.

# Lessons from Prior Government Efforts

- Focus on high-stakes algorithms; may be distracting or even counterproductive to try for all
- Expect people to want to avoid doing this → enforcement mechanisms

# Industries / Areas to Emphasize

## “High-stakes algorithms”

- ORCAA suggests: those that affect **liberty, finances, livelihoods**
- Note new EU framework defines “high-risk” AI systems

Thank you

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