

Contra Costa County
Office of the County Administrator

ADMINISTRATIVE BULLETIN

Number: 145
Date: May 22, 2025
Section: General

SUBJECT: Artificial Intelligence Policy

- I. **PURPOSE.** Artificial Intelligence (AI) has been around for generations but has become more prevalent recently with the evolution of Generative AI technologies that can create written, audio, and visual content at a user's direction. AI's primary strength lies in its ability to analyze vast amounts of data and make predictions and decisions. As such, the recent exponential growth of AI has the potential to improve the County's internal operations and enhance public services.

This bulletin acknowledges the transformative potential of AI and sets forth a policy to encourage its use within the County workplace. The aim is to enhance productivity and improve public service delivery while ensuring transparency, accountability, and fairness. The policy also underscores the importance of safeguarding individual privacy and maintaining the security of the County's systems and data.

- II. **AUTHORITY.** In accordance with County Ordinance Code Section 24-4.008, the County Administrator is responsible for overseeing and coordinating County departments and has authority and responsibility to implement administrative bulletins.

- III. **APPLICABILITY.** This policy applies to County employees, contractors, and third parties who use AI to perform work on behalf of the County (collectively, Users).

IV. **DEFINITIONS.**

- A. Artificial Intelligence. For purposes of this bulletin, Artificial Intelligence (AI) encompasses each of the following forms of AI.

1. Traditional AI. Traditional AI (also known as Algorithmic AI) is the simulation of human intelligence processes in machines by following rules and algorithms prepared by human creators. Traditional AI is used for data analysis, pattern recognition, and making predictions. For

example, traditional AI can be trained to recognize and classify images of trees and flowers.

2. Generative AI. Generative AI is the simulation of human intelligence processes based on machine learning, meaning a machine's recognition of patterns it has come to recognize by reviewing large amounts of data. Generative AI can create new content in response to prompts from humans, such as generating human-like conversations and creating images.
 3. Agentic AI. Agentic AI focuses on autonomous decision-making and task execution. Agentic AI typically operates with a higher level of autonomy vs. Generative AI, which still relies on human prompts and oversight, allowing Agentic AI to complete more complex, multi-step and goal-oriented tasks that require reasoning and strategic planning.
- B. AI Tool. Any software, application, or system that can independently change its own analytical methods and utilizes AI, machine learning, or other advanced algorithms to perform tasks, analyze data, or assist in making decisions. An AI Tool may use Traditional AI, Generative AI, or Agentic AI.
- C. Protected Health Information (PHI). Information that was created, used, or disclosed during the provision of health care and that can be used to identify a person.
- D. Personally Identifiable Information (PII). Information that includes an individual's first name or initial and last name in combination with any one or more of the following:
1. Social Security number (SSN);
 2. Driver's license number or state-issued identification card number;
 3. Financial account number, credit card number, or debit card number in combination with any required security code, access code, or password such as expiration date or mother's maiden name that could permit access to an individual's financial account;
 4. Medical information (any information regarding an individual's medical history, mental or physical condition, or medical treatment or diagnosis by a healthcare professional); or

5. Health insurance information (an individual's health insurance policy number or subscriber identification number, any unique identifier used by a health insurer to identify the individual, or any information in an individual's application and claims history, including any appeals records).

V. USE OF AI TOOLS. If a County department determines the use of AI would be beneficial for improving services or operations, the department may authorize the use of AI, subject to the following considerations:

A. Privacy and Security.

1. Confidential and Sensitive Information. Users may not enter confidential or otherwise sensitive information into AI Tools, except as otherwise provided in Section V.A.2. Examples of sensitive information include, but are not limited to, the following types of information:
 - a. Personally Identifiable Information (PII);
 - b. Protected Health Information (PHI);
 - c. Information that is prohibited from disclosure by law;
 - d. Content of attorney-client communications;
 - e. Information that could compromise the security of the County or County systems; and
 - f. Any other confidential or sensitive information.

Questions concerning whether data is prohibited from disclosure by law should be directed to the County Counsel's Office.

2. Exceptions. Users may enter confidential or sensitive information into an AI Tool only if all the following criteria are met:

For Third-Party AI Tool Solutions (sometimes referred to as "off the shelf" solutions):

- a. The County has a contract with the vendor of the AI Tool that limits the use of any data entered solely for County purposes;
- b. The agreement provides adequate security and safeguards against misuse of the data as set forth in [Security Standards for Technology Contracts](#), which can be found on the website of the Department of Information Technology (DoIT) or can be obtained by emailing doitcustomercare@doit.cccounty.us; and

- c. The contract includes: (1) adequate indemnification to protect against confidentiality and security and intellectual property claims; and (2) adequate cyber-insurance, as determined by the Risk Management department.

For County Developed AI Tool Solutions:

- d. The Department has worked in collaboration with DoIT to develop the AI Tool; or
- e. DoIT has reviewed and determined that the AI Tool meets security standards equivalent to those set forth in [Security Standards for Technology Contracts](#).

B. Public Use.

- 1. Transparency. County departments are responsible for informing members of the public when they are interacting with an AI Tool. Members of the public should be offered an “opt out” alternative to using the AI Tool, if possible.
- 2. Entry of Confidential Data. Members of the public should never be prompted to enter potentially confidential or sensitive information into an AI Tool unless the AI Tool has been approved for that use, as set forth in Section V.A.2.

VI. USE OF AI GENERATED CONTENT.

- A. Decision Making. AI Tools may be used to inform a User’s decision-making process but are not a substitute for human judgment. If an AI Tool is used to assist in the decision-making process, AI-generated content should only be one of the factors a User considers in reaching a decision. The Department Head and Users are ultimately responsible for their decisions and the impact of their decisions while using AI Tools.
- B. Original Work. Users may not represent work generated by an AI Tool as their own original work and shall disclose that AI Tools were used in the decision-making process when that process is determined to be material.
- C. Accuracy.
 - 1. Verification. AI-generated content shall be verified by a County employee to ensure its accuracy.

2. Fairness. Departments must monitor AI-generated content to ensure the content does not contain biases, particularly those based on race, sex, or other legally protected characteristics.

D. Additional Rules. Departments may develop supplementary rules to address specific business needs unique to their operations. However, such rules must remain aligned with the County's overarching objective of advancing the use of AI tools to enhance and optimize public service delivery.

VII. REPORTING THE INCORRECT USE OF AI TOOLS. Entry of confidential or otherwise sensitive information into an AI Tool that does not fall within the exception provided in Section V.A.2. must immediately be reported to DoIT at doitcustomercare@doit.cccounty.us. Employees will follow this policy in accordance with Administrative Bulletin (AB) 140, "Internet Usage," AB 144, "Information Security," AB 541, "County's Owned and Issued Electronic Communication Devices," the Personnel Management Regulations, and applicable Memorandums of Understanding (MOUs) regarding professional conduct.

VIII. CONTINUED LEARNING. As County provided AI training becomes available, County departments must require Users within the department to complete the training to ensure appropriate use of AI, data handling, and adherence to County policies. Users will be required to attend updated training as AI evolves.

Originating Department: Department of Information Technology

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Monica Nino,
County Administrator

RESOURCES:

Security Standards for Technology Contracts
Administrative Bulletin 140, "Internet Usage"
Administrative Bulletin 144, "Information Security Policy"
Administrative Bulletin 541, "County's Owned and Issued Electronic Communication Devices"