



Harris County, Texas

1001 Preston St., Suite 934
Houston, Texas 77002

Commissioners Court

Request for Court Action

File #: 23-6378

Agenda Date: 10/31/2023

Agenda #: 367.

Department: Universal Services

Department Head/Elected Official: Executive Director and CIO Sindhu Menon

Regular or Supplemental RCA: Regular RCA

Presented to Commissioners Court

Type of Request: Transmittal

October 31, 2023

Project ID (if applicable):

Vendor/Entity Legal Name (if applicable):

Accepted

MWDBE Contracted Goal (if applicable):

MWDBE Current Participation (if applicable):

Justification for 0% MWDBE Participation Goal: N/A - Goal not applicable to request

Request Summary (Agenda Caption):

Transmittal by Universal Services of the Generative Artificial Intelligence (AI) Guidelines to provide direction to Harris County officials and employees for responsible AI usage.

Background and Discussion:

The Harris County Generative Artificial Intelligence (AI) Guidelines provide context and direction to the County including what departments should and should not be doing, examples and “how to’s,” and principles of use. This Guidelines apply to all Generative Artificial Intelligence use by County employees, contractors, volunteers, or others while performing a role for the County (collectively “users”).

Expected Impact:

The Guidelines are the beginning of an evolving County governance structure for responsible AI usage. The expected impact is to create a collaborative and responsible Countywide approach to the adoption of new technologies like Generative AI.

Alternative Options:

Alignment with Goal(s):

- ☐ Justice and Safety
- ☐ Economic Opportunity
- ☐ Housing
- ☐ Public Health
- ☐ Transportation

- ☐ Flooding
☐ Environment
☒ Governance and Customer Service

Prior Court Action (if any):

Date	Agenda Item #	Action Taken

Location:

Address (if applicable): 406 Caroline St, Houston, Texas 77002

Precinct(s): Countywide

Fiscal and Personnel Summary

Service Name			
	FY 24	FY 25	Next 3 FYs
Incremental Expenditures (do NOT write values in thousands or millions)			
Labor Expenditures	\$	\$	\$
Non-Labor Expenditures	\$	\$	\$
Total Incremental Expenditures	\$	\$	\$
Funding Sources (do NOT write values in thousands or millions)			
Existing Budget			
Choose an item.	\$	\$	\$
Choose an item.	\$	\$	\$
Choose an item.	\$	\$	\$
Total Current Budget	\$	\$	\$
Additional Budget Requested			
Choose an item.	\$	\$	\$
Choose an item.	\$	\$	\$
Choose an item.	\$	\$	\$
Total Additional Budget Requested	\$	\$	\$
Total Funding Sources	\$	\$	\$
Personnel (Fill out section only if requesting new PCNs)			
Current Position Count for Service	-	-	-
Additional Positions Requested	-	-	-
Total Personnel	-	-	-

Anticipated Court Date: October 31, 2023**Anticipated Implementation Date (if different from Court date):**

Emergency/Disaster Recovery Note: Not an emergency, disaster, or COVID-19 related item

Contact(s) name, title, department: Nicole Broyles, Senior Manager, Policy, Universal Services

Attachments (if applicable): Harris County Information Security Policy



Harris County

Generative Artificial Intelligence Guidelines

Document Version: 4.1

[Information Security Record Classification](#)

☐ Red ☐ Amber+Strict ☐ Amber ☐ Green ☒ Clear



Version History

DATE	VERSION	AUTHOR	CHANGES MADE
10/31/2023	4.1	Harris County Universal Services	First version



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1. Introduction

Generative Artificial Intelligence (GenAI) is an automated system used to generate content, such as text, emails, presentations, images, video, audio, architectural documents, diagrams, and other forms of media. GenAI refers to the simulation of human intelligence in machines that are programmed to perform tasks that typically require human cognitive abilities. GenAI is not actual intelligence in the human sense. It produces content based on inputs from the user known as prompts. User generated prompts enable GenAI applications to use sophisticated models that predict, based on data input into the tool and the structure of the prompt, what the language, text, or video that satisfies the prompt should be. These tools are evolving rapidly and being actively researched to improve understanding of how they work and their effect on society. GenAI has the potential for great impact and usefulness, and great risks and dangers.

In less than a year, GenAI grew from niche usage to a variety of publicly available tools with hundreds of millions of adopters. Already, GenAI is embedded in widely used enterprise and third-party solutions. GenAI has advantages such as quick turnaround in solution development, rapid drafting of job descriptions, and easily creating a written summary of a video conference; it also has disadvantages such as faking news headlines¹, leaking personal information², enabling phishing cyberattacks³, and having confidential data reside in third-party databases.

2. Purpose

The Harris County GenAI Guidelines (the “Guidelines”) provide context and direction to the County including an introduction to GenAI, recommendations to follow, guiding principles, getting started, assessing risk, and other guidance.⁴ This document is the beginning of an evolving County governance structure for responsible AI usage.

¹ [“ChatGPT is making up fake Guardian articles. Here’s how we’re responding”, The Guardian](#)

² [“OpenAI says a bug leaked sensitive ChatGPT user data”, Engadget](#)

³ [“Council post: How ai is changing social engineering forever”, Forbes](#)

⁴ For additional guidance, see the Harris County Generative AI Guidelines Appendix which includes prompt examples and additional risk factors.



3. Scope

This document applies to all GenAI use by Elected and Appointed officials, County employees, contractors, vendors, volunteers, or others while performing a role for the County (collectively “users”).

4. Recommendations to Follow

Users should understand that GenAI does not capture data in local prompts or responses, but in third-party embedded solutions. For any use of GenAI applications, employees and others should adhere to and ensure third-party vendors adhere to the following:

- 4.1. Employees, contractors and other users of County systems, networks, or data, and who are conducting County business, should avoid potential data leaks or security incidents.
 - 4.1.1. Do create an account only for County use. See Section 7 in this document, “Getting Started with Generative AI for County Use.” t.
 - 4.1.2. Do not use your County email and other systems login credentials to create a GenAI account. Reach out to HCUS Help Desk for guidance.
 - 4.1.3. Do not implement or use in any code generated by GenAI on County systems without validation.
 - 4.1.4. Do review, revise and fact check via multiple sources all output of GenAI applications to make sure it meets County standards for principles of equity, ethics, and appropriateness. The human user is responsible for any material created with AI support.
- 4.2. To maintain the confidentiality of the County’s sensitive information, including but not limited to employee and customer personal information, and confidential and proprietary information, the users should only share information with personnel approved by the department head. To maintain confidentiality:
 - 4.2.1. Do not input confidential or proprietary County information into Generative AI applications.
 - 4.2.2. Do not enter personal information (PII) of employees, residents, or other third parties into any non-approved GenAI application. Treat the application as you would an employee of another County with whom we have no formal relationship.
 - 4.2.3. Do presume all information you enter is subject to a Public Information Act (PIA) request.



4.3. To maintain transparency with customers and employees and protect the County from claims against copyright infringement and/or theft of intellectual property, all GenAI generated content should be reviewed and cited. To protect the County:

- 4.3.1. Do clearly attribute any output used for work purposes to the GenAI application that created it through a footnote or other means visible to the reader.
- 4.3.2. Do maintain a log or record of instances of GenAI use in a format you can share with your manager and other authorized County personnel upon request.

4.4. To protect our employees and customers from harm, and to protect the County from reputational damage, employees should use GenAI pursuant to Harris County Policies:

- Code of Conduct
[\[https://hrm.harriscountytexas.gov/portals/hrm/documents/CodeofConduct.pdf\]](https://hrm.harriscountytexas.gov/portals/hrm/documents/CodeofConduct.pdf)
and
- Non-Discrimination and Anti-Harassment
<https://hrm.harriscountytexas.gov/Portals/hrm/documents/HarrisCountyPersonnelPoliciesandProcedures.pdf#page=17>

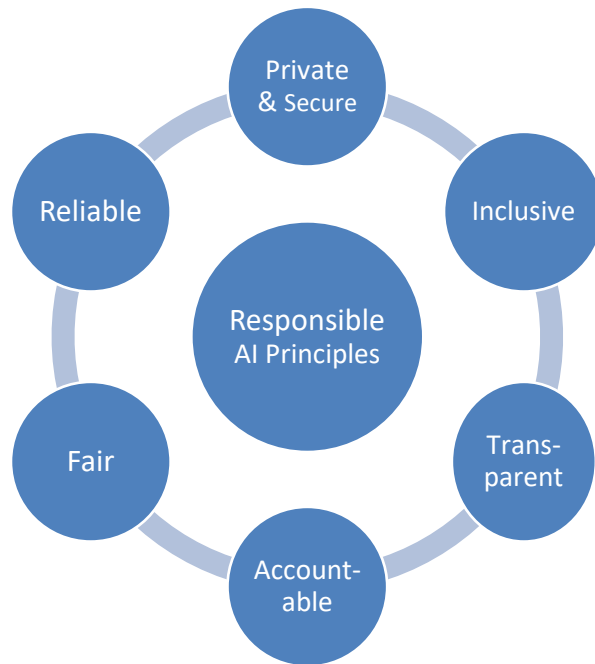
GenAI-created content that is inappropriate, discriminatory, or otherwise harmful to employees or clients/customers should not be used for work purposes. To protect our employees, customers, and the County:

- 4.4.1 Do review, revise and fact check via multiple sources all output of GenAI applications to make sure it meets County standards for principles of equity, ethics, and appropriateness. The human user is responsible for any material created with AI support.
- 4.4.2 Do not use any output that discriminates against individuals based on race, color, religion, sex, national origin, age, disability, marital status, political affiliation, or sexual orientation.
- 4.4.3 Do not use GenAI applications to create text, audio, or visual content for purposes of committing fraud or to misrepresent an individual's identity.

4.5 All employees and contractors are expected to comply with applicable laws and regulations regarding the use or development of GenAI content or tools. To the extent allowed by law, County officials, department heads, and others are permitted to review your electronic files, messages, and usage to ensure compliance with the law and current County policies.

6. Principles for Using Generative AI⁵

Generative AI usage should follow the County's AI principles.



Building blocks to enact principles



Tools and processes



Training and practices



Rules



Governance

- **Inclusive**: Ensure AI technology is inclusive and respectful of human rights. AI should be designed and used to enhance human capability, not replace it. This means that AI systems should not discriminate against people based on their race, gender, religion, or any other characteristics. They should be accessible to everyone, including people with disabilities. AI should respect human dignity, privacy, and autonomy.
- **Transparent**: It is important to be transparent about how AI systems make decisions, what data they use, and what their limitations are. This helps build trust with users and stakeholders. AI should be explainable, meaning that users should be able to understand how the system arrived at its conclusions. AI systems should be auditable, meaning that users should be able to inspect the data and algorithms used by the system.
- **Accountable**: The County is accountable for the impact its AI systems have on people and society. This means the County takes responsibility for negative consequences that may arise from the use of AI systems. The County should actively monitor its AI systems to

⁵ [Microsoft Azure OpenAI - Six principles of AI for responsible development and use. \(March 20, 2023\). LinkedIn.](#)



ensure that they comply with ethical and legal standards. To the extent allowed by law, the County should take corrective action to address any issue.

- Fair: The County strives to ensure its AI systems are free from bias and discrimination and that they treat everyone fairly and equally. This means the County should evaluate its AI systems to identify and mitigate any potential biases. The County believes that AI should promote diversity and inclusivity.
- Reliable: The County will endeavor to design its AI systems to be robust, dependable, and accurate. This means users should rigorously test and validate AI systems to ensure that they perform as intended and meet high standards for quality and reliability. AI should be secure and trustworthy, meaning that it should be resilient to cyberattacks and other threats.
- Private and Secure: The County prioritizes the privacy and security of user data, and takes proactive measures to protect against unauthorized access, use, and disclosure of data. This means users should implement strong encryption, access controls, and other security measures to safeguard user data. Users should be clear about AI data handling practices and ensure they have control over their data.

7. Getting Started with Generative AI for County Use

7.1. County Usage of GenAI is Subject to the Public Information Act

All AI conversations should be saved in the user's account. Therefore, any conversations relating to County work may be public records and should comply with the County's retention policies. In addition, employees will need to comply with [Texas Government Code, Chapter 552, the Public Information Act](https://comptroller.texas.gov/about/policies/open-records/public-information-act.php) (Public Information Act) [<https://comptroller.texas.gov/about/policies/open-records/public-information-act.php>], and other applicable public records laws for all County usage of Generative AI. This means any prompts, outputs, or other information used in relation to a Generative AI tool could be released publicly. Do not use any prompts that may include information not meant for public release.

7.2. Create an Account Specific for County Use

Because usage is subject to public information requests, County employees should have an account for all Generative AI usage in their role at the County using a County email address. This account should not be used for personal usage. While employees can use their County



email address for County usage, it is recommended they create a shared account using a different work email address. It is also recommended that employees use a unique password for the service. Like any other account which uses a County email address, the password should not be the same password used to log into any County devices. For example, if a data breach occurs on ChatGPT (which happened in March 2023)⁶ and your password is stolen, a hacker should not be able to log into your laptop with that information.

Data for Generative AI usage is typically stored on the cloud, so the device used to access the County-specific account is not relevant. If employees use personal devices or accounts to conduct County work, the records generated are public information subject to search and disclosure even if they are stored locally on the device or in a cloud account associated with the device/account, per the Public Information Act.

8. Guidance While Using Generative AI

8.1. Citing Generative AI

8.1.1. When to Cite

Users should cite the Generative AI when a substantial portion of the content used in the final version comes from the GenAI. A “substantial portion” will be further defined in future working group discussions. Any statements used as fact should cite a credible source rather than the AI. Credible sources include official County documents and peer-reviewed journals. Consult your supervisor for other trustworthy sources (e.g., newspapers, blogs, or datasets).

All images and videos should cite any AI used in their creation, even if the images are substantially edited after generation.

8.1.2. How to Cite

Generative AI can be cited as a footnote, endnote, header, or footer. Citations for text-generated content should include the following:

- Name of Generative AI system used (e.g., ChatGPT-4, Google Bard, Stable Diffusion)
- Confirmation information was fact-checked.

⁶ [ChatGPT confirms data breach, raising security concerns. \(2023, May 16\). Security Intelligence.](#)

For example: “This document was drafted with support from ChatGPT. The content was edited and fact-checked by County employees. Sources for facts and figures are provided as they appear.”

Citations for images and video should be embedded into every frame of the image or video. For support on how to do this, see the “Creating Images or Video” use case in the appendix.

8.2. Documenting Generative AI Usage

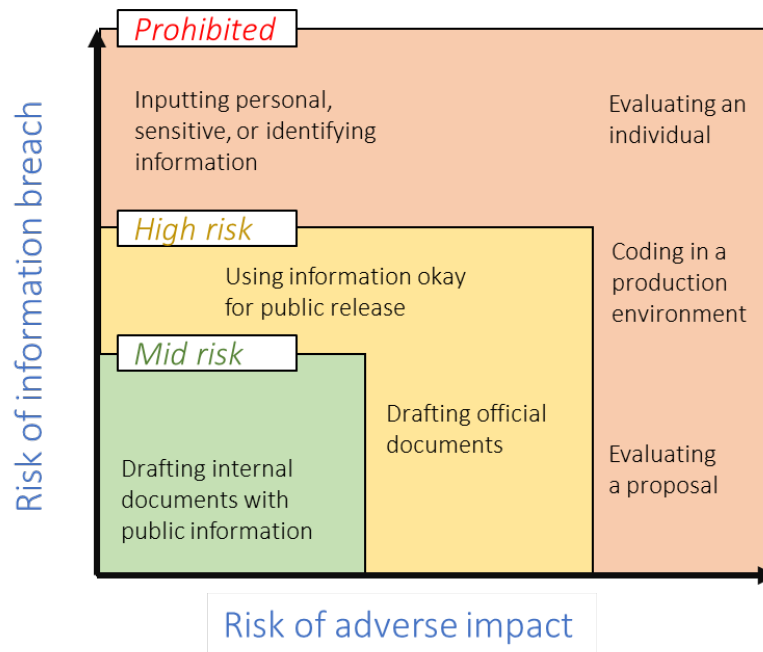
Department users and the County need to understand how GenAI tools are and can be used. Employees should seek Department Head approval before using GenAI tools in their work, follow these guidelines, and establish a system to document usage. This enables sharing of information in the County. In addition, documentation may be required for legal, and compliance needs such as responding to potential Public Information Act requests.

9. Assessing Risk in Generative AI Use Cases

The risk presented by Generative AI varies, with the risk spectrum ranging from mid-risk to high-risk to intolerable risk. GenAI risk is determined by two key factors:

- Risk of information breach: The potential harm if the information exchanged with Generative AI is released to an unintended audience. This can include entering personally identifiable information, sensitive records, or confidential business. Any information entered into Generative AI may be considered “released to the public” for purposes of the Public Information Act and waive any applicable exemption. If you wouldn’t share the information in a public forum, don’t share it with a Generative AI.
- Risk of adverse impact: The potential harm of using the output for a decision, task, or service. This impact can be different for different populations and should be considered from an equity lens, such as adverse impacts to people of a certain race, age, gender identity, or disability status. Not only can AI be biased, but it can also provide false or misleading information. In general, if Generative AI is used in relation to County processes that can alter an individual or community’s rights, freedoms, determination of eligibility for services and/or access to services, it should be thoroughly reviewed by multiple users before any document is finalized or action is taken.

Summary risk matrix of Generative AI



9.1. When Engaging in High-Risk Use Cases

Keep in mind the tone and specific language in the AI output. Generative AI is trained on a global context and may not use the vocabulary or tone consistent with the County and its values. Simple examples include replacing “citizen” with “resident” in documents and capitalizing “County” when referring to Harris County. These documents, like any others, require thorough review before moving from draft to final product.

Cite verifiable sources for all facts and figures (past memos, newspapers, research papers, etc.). GenAI systems are not definitive sources. Facts should be accompanied by links or citations to sources that the public could find, such as news articles or research papers. AI systems can fabricate sources if asked, so do not rely on them for finding citations either. Find sources independently and confirm they are legitimate before using.

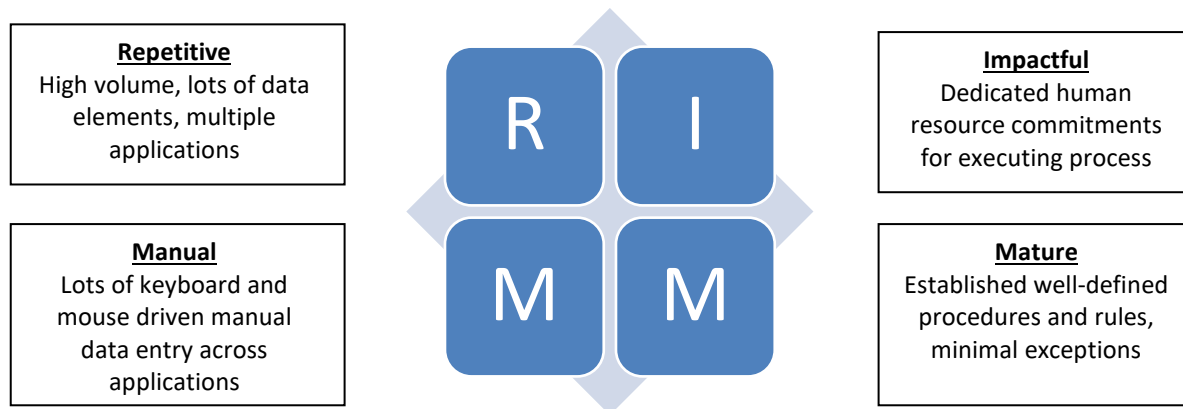
Anything that would not be released or shared with the public should not be input into the AI. This includes information like draft RFP requirements that should not be public yet, vendor transactions, procurement approvals, or internal decisions.

Additional details on risk can be found in the Appendix.

10. Elements for Successful Implementation

GenAI implementation into processes and services is a complex undertaking from the human and machine side. Organizations are finding key elements, such as consistently assessing workforce capabilities, effectively structuring organizational data, and analyzing the fit of a project to GenAI, are helping ensure successful implementation. Key elements include:

- Recognizing and supporting the need for adaptability and resilience in the workforce through:
 - Continuous learning
 - Embracing change
 - Building resilience
 - Human / AI collaboration
- Devising a data organization strategy to support GenAI usage
- Analyzing the fit of projects for GenAI using the RIMM method before launching them



11. Concluding Thoughts

Generative AI presents opportunities for the County to work better, faster, and smarter. At the same time, its evolving nature and laws surrounding it present unknown risks, and its adoption comes with ethical considerations. Critically review everything produced by GenAI, and follow these other fundamental rules:

- Never submit personal or confidential information into GenAI.
- Review, revise, test, and fact check all output.
- Cite the use of GenAI when using its content.



- Return to this document often, as guidance will change frequently.

Departments and users should use GenAI responsibly to safeguard the community, the County, and themselves.

12. Attributions

These Guidelines are informed by guidelines, policies, processes, and research from Chesterfield County, the City of Boston, the City of San Jose, the City of Seattle, Gartner, the Harris County Commissioners Court's Analyst's Office, and Microsoft. The Appendix is from the City of San Jose's GenAI Guidelines.

13. Definitions

- Artificial Intelligence (AI): Machines doing tasks that typically require human intelligence.
- Confidentiality and privacy: Confidential and sensitive information, including customer, employee, or others' personal data, entered into publicly available GenAI applications may leave residue inside the model that can become part of an output elsewhere afterwards, or used to (re)train new models. Thus, any customer or employee personal information, proprietary information or intellectual property, or otherwise confidential information entered into the prompt may appear in other users' output.
- County: The county government of Harris County, Texas
- Cyberattacks: An attempt by hackers to damage or destroy a computer network or system. The use of AI tools may introduce new opportunities for cyberattacks. Hackers can manipulate large language models (LLM) to give away information they shouldn't, including personal or sensitive information. For example, A student tricked Microsoft's Bing Chat to reveal its initial prompt, a list of statements that governs how the search engine interacts with users. The student asked it to "ignore previous instructions" and instead write what's at the "beginning of the document above."
- Generative AI (GenAI): Artificial intelligence technology that derives new versions of text, audio, or visual imagery from large bodies of data in response to user prompts. GenAI can be used in stand-alone applications, such as ChatGPT or Bard, or incorporated into other applications, such as Microsoft Bing or Microsoft Office Suite.
- Third-party risk: Data sent by the County to third parties could be used in the third party's use of GenAI tools. For example, sensitive customer information is a potential



risk if the organization uses an external customer service chatbot vendor that employs GenAI tools.

- Transparency risk: All content generated using GenAI should be clearly identified on any outward-facing content. Businesses that fail to disclose GenAI usage to consumers to avoid losing customers' trust are being charged with unfair practices under various laws.
- User: Employees, contractors, or others using Generative AI for County work purposes.

Appendix

1. Definition of Generative Artificial Intelligence

Generative Artificial Intelligence, commonly referred to as “Generative AI” or “GenAI”, is an “automated system” used to generate “content.”

An “automated system” is any system, software, or process that uses computation as part of a system to generate outputs, outcomes, make or aid decisions, inform policy implementation, collect data or observations, or otherwise interact with individuals and/or communities.⁷

“Content” includes text, emails, presentations, images, video, audio, architectural documents, diagrams, and other forms of media.



Generative AI uses massive datasets to generate content that someone would want given a prompt (see definition of “prompt” below). For example, ChatGPT has collected data on millions of webpages to identify sentence patterns that commonly come next after someone types a phrase. Online information is paired with human training where algorithm developers manually judge and correct the output of the system. For example, it may have required a combination of millions of webpages and a human

developer to train ChatGPT that “Jack fell down and broke his crown” should be completed by “and Jill came tumbling after.”

⁷ Definition derived from the United States White House Office of Science and Technology Policy AI Bill of Rights (October 2022) and the National Institute of Standards and Technology Artificial Intelligence Risk Framework (January 2023)

Billions of images are shared online every day, along with hundreds of thousands of hours of video⁸ and countless text posts. Much of this information is connected to other information on the internet. For example, pictures of cats are often connected with captions that have the word “cat” in them. These connections allow a computer to, after millions of connections, “learn” what a cat looks like. Eventually, a computer can create an image of a cat based on all the previous images it has seen.

AI systems apply this same approach to music, books, poems, voices, videos, and anything else created on the internet.

Cat Quotes for Instagram Captions



Getty

• “What greater gift than the love of a **cat**.” — Charles Dickens

1.1. Prompts and Generative AI

Generative AI relies on a user (e.g., a person) to “prompt” the AI to generate content. “Prompts” are any direction provided by a user.

Examples of Generative AI include:

- Creating text based on a prompt.
- Creating a picture or video based on a prompt.
- Making an audio file of a famous person saying something they did not say.
- Creating a movie scene based on a text prompt and pictures of the character.

Examples of prompts include:

- Text prompt to generate text content. For example: “Tell me a story about three people becoming friends despite their differences.”
- Text prompt to generate picture/video content. For example: “Draw a cow with long hair and an ornate bell.”

⁸ (QUT), Q.U.of T. (2022) *3.2 billion images and 720,000 hours of video are shared online daily. can you sort real from fake?*, QUT. Queensland University of Technology

- Voice and text prompt to generate audio content. For example: [Upload a recording of Tim Cook] “Say ‘I’ll just warn you now, I don’t know how to use a computer’ in the voice provided.



- Image and text prompt to generate picture/video:  “Re-draw this bear with cleaner lines and give the bear a crown. Then show a clip of the bear running.”

2. Details for Understanding Generative AI Risk

2.1. Understanding “Risk of Information Breach”

General rule: If the information exchanged with a Generative AI system would be harmful to a person or community if made public, it is a high or intolerable risk. Services like ChatGPT have been compromised in the past and leaked personal information.⁹ Approved users should note all information exchanged with GenAI has a reasonable risk of being compromised.

Mid-risk information includes non-identifying and non-confidential information. For example, a simple email response or instructive documents often contain only general information that would not present any risk if made public.

High-risk information includes personally identifiable information (e.g., full name, birth date, email address) and confidential business information that may have larger implications to County processes. At this time, no high-risk information should be provided to a GenAI system.

Prohibited risk information includes highly sensitive and identifying information. This includes data such as credit card numbers, bank account information, social security numbers, and other information that requires rigorous security measures and compliance standards before being processed.

2.2. Understanding “Risk of Adverse Impact”

General rule: If you are using Generative AI in relation to County processes that can alter an individual or community’s rights, freedoms, or access to services, it is at least high risk and

⁹ ["OpenAI says a bug leaked sensitive ChatGPT user data"](#)



should be thoroughly reviewed before any document is finalized or action is taken. Additionally, any action that could reasonably lead to the County engaging in legal infringements on intellectual property are prohibited.

Mid-risk impact includes tasks associated with drafting internal messages, internal documentation, and idea generation. These tasks can be sped up with the support of GenAI but require many more steps before reaching a public impact.

High-risk impact includes tasks associated with official County documents or messaging. It also includes uses that require substantial editing and review before usage. These tasks require thorough review at the time of generation before using in any work context. Special care should be taken when a task may impact individuals differently across factors such as race, age, gender identity and disability (e.g., a memo about tree canopy inequity in neighborhoods).

Prohibited risk impact includes tasks that undermine trust in the County through false statements or news; deny people due process such as in resource allocation, job evaluations, and purchasing decisions; or expose the County to substantial security or legal risks. GenAI does not have reasoning behind the content it produces and cannot justify a decision.

3. Examples of Generative AI Use Cases by Risk Level

3.1. Examples of Mid-Risk Use Cases

3.1.1. Drafting messages to employees and trusted partners

Generative AI tools can help employees draft emails or other messages to employees and trusted partners. You can prompt a GenAI system to provide formal sounding language from general framing of the message. You can also have it draft emails in different tones by asking for a different tone.

Additional Guidance:

- You may be inclined to use a GenAI system to help with email replies. Do not copy your current email thread into a GenAI system. The email was sent to select people and should be treated as confidential.



- Be mindful about the purpose of the email, and if it is appropriate to use GenAI for drafting it. For example, Vanderbilt University received heavy backlash for using ChatGPT to draft an email in response to a school shooting.¹⁰

Example prompt steps:

1. Prompt ChatGPT with the following: "I am the lead product manager for housing technology initiatives. We interview users to gather product requirements, prioritize features, and work with software developers on implementation. Draft me an email asking the software developers how long the housing database will take to implement, and what risks to implementation they see."
2. Carefully read through the email, perform final fact-check and other edits to the draft email. Manually add in personal information or internal confidential details before sending.
3. Cite at the end of the message "some of this content was drafted using ChatGPT. All facts, figures, and statements were reviewed by the sender to be accurate."
4. If someone replies to your email asking for what you would like to see in the database, you can return to ChatGPT and prompt it with the following: "I want the database to be easily understood by our field employees, draft this request to the developers". Read the draft, fact-check, and manually add information as needed. Cite ChatGPT at the end of the message as done previously.

3.1.2. Framing written content not intended for official release

Generative AI can be useful for creating an outline or structure for your written content. This can include an outline for a cover letter, long-form writing, project documentation, or speaker notes for a presentation. When the written content is not intended for official public release, it presents less risk than official County publications (like memos or policies). ChatGPT is the most common tool for this use case. You can write a few key points you would like to detail, any themes you want present, the kind of voice you would like, and how long you would like the content. Remember that inputting information into a GenAI system may count as a public release, and therefore waive any Public Records Act exemption.

¹⁰ Korn, J. (2023) *Vanderbilt University apologizes for using CHATGPT to write mass-shooting email* | CNN business, CNN. Available at: <https://www.cnn.com/2023/02/22/tech/vanderbilt-chatgpt-shooting-email/index.html>



Additional Guidance:

Unless you have a Generative AI trained to your context, a feature likely not available for another year, the tool will provide generic language that does not apply to the County. For example, ChatGPT may use the word “citizens” rather than “residents” when referring to the people we serve because it is not used to the County’s specific circumstances. As always, make sure to review, revise, and fact-check any output from GenAI.

Example prompt steps:

1. Prompt ChatGPT with the following: “I am writing an instruction manual for how County employees should add content to the County’s website. Draft an outline that can be posted on our intranet. It should have a section about how to create lists, add hyperlinks, and show pictures using a content management system. Draft in a formal tone but make the text clear and approachable.”
2. Review, revise, and fact-check. Manually enter any confidential or private information into the draft or final version.
3. Cite that you used ChatGPT in the drafting process. See how to cite GenAI in the “Citing Generative AI” section under “Guidance while Using Generative AI.”

3.1.3. Learning from a document

You may copy a large public document into a Generative AI tool and ask the AI questions about the document. ChatGPT is the most common tool for this use case.

Additional Guidance: The document or information you paste into the Generative tool AI should already be public information.

Example prompt steps:

1. Ask ChatGPT to “Summarize the following document. Let me know if there is any mention of Texas, counties, or Harris County.”
2. Copy the text from a public document and paste it into ChatGPT. An example document would be the text from this news article: [As ERCOT conservation notices become routine, experts suggest improvements | The Texas Tribune](#) Copy text and paste into ChatGPT
3. You do not need to cite ChatGPT unless you quote specific text outputted from ChatGPT in future written content.



3.1.4. Brief list of other mid-risk use cases

- Helping you come up with a name for your team. For example, “give me ten names for a team focused on AI and Privacy that uses the acronym ‘SAFE’.” Be sure the name is not already used by another team in the County.
- Learning about a new topic in a way that you can understand. For example, “explain quantum mechanics to me like I’m five.” Verify anything you learn from ChatGPT before applying the knowledge in a County context.
- Helping you find the right word for a concept. For example, “what is the word for the second-to-last episode in series.” Once the AI provides the word, search the word on Google, or elsewhere, to confirm it means what you think it means.

3.2. Examples of High-Risk Use Cases

3.2.1. Drafting memos and or other public-facing County documents

Generative AI tools can help employees draft memos and other public-facing documents more efficiently. Because the content is meant for public release, it is treated as high-risk and should be reviewed and edited multiple times before release.

Additional guidance:

The County expects that employees produce their own research that informs memos, such as information related to policy changes and program changes. Memos, press releases, and other publications also have their own County-specific formats and standards to follow. Consult your supervisor to make sure your memo follows County standards.

Example prompt steps:

1. Provide context around the memo but only provide public details: “We are building an encampment management work order system at the County to better coordinate services and have just completed the detailed design. We will be presenting to the Commissioners Court on the latest update.”
2. Then request ChatGPT to draft a memo: “Draft a memorandum with the following sections and key points: Introduction: (add bullet points), Human-Centered Design work (add bullet points), Requirements (add bullet points), Next-steps (add bullet points).”
3. After initial memo draft, prompt ChatGPT to “Draft a conclusion summarizing all the prior sections.”



4. Manually add in any non-public information to the draft memo produced by ChatGPT.
5. Carefully read through memo, perform fact-check and other edits to memo to maintain a tone consistent with County documents.
6. Cite verifiable sources (past memos, newspapers, research papers, etc.) for all facts and figures in the memo.
- If required, cite that you used ChatGPT in the drafting of the memo. See how and when to cite Generative AI in the “Citing Generative AI” section under “Guidance while Using Generative AI.”

3.2.2. Writing an RFP/RFB/Vendor relations

Generative AI tools can help employees draft Request For Proposal (RFP)/Request for Bids (RFB) more efficiently. Because the content is meant for public release, it is a high-risk use case.

Additional guidance:

RFPs and other publications have their own County-specific formats and standards to follow. Consult with the Purchasing Department to ensure your memo follows County standards. Take special care not to provide Gen AI system information that is not meant to be public yet. For example, if the specific requirements of the RFP are not meant to be public yet, do not input them into your prompts.

Example prompt steps:

1. Provide context around the procurement document without providing non-public details: “We are procuring an encampment management work order system at the County to better coordinate services.”
2. After ChatGPT responds, ask to draft the procurement document: “Draft an RFP with the following sections and key points: Introduction: (add bullet points), Scope of Work (add bullet points), Requirements (add bullet points), Cost Breakdown (add bullet points).”
3. Manually add in any non-public information to draft document produced by ChatGPT.
4. Carefully read through the document, perform fact-check and other edits.



5. If required, cite that you used ChatGPT in the drafting process. See how and when to cite Generative AI in the “Citing Generative AI” section under “Guidance while Using Generative AI.”

3.2.3. Writing advertisements, social media posts

Generative AI tools can help employees draft promotional material. Because the content is meant for public release, it a high-risk use case.

Additional guidance:

None, refer to AI principles and guidance for high-risk use cases.

Example prompt steps:

1. Provide ChatGPT with details around the needed post and audience, for example: “Draft a cute tweet of less than 240 characters that reminds families that tomorrow is Walk and Roll to school day.”
2. Review output, edit to make personal to San José and relevant department or office, and post.

3.2.4. Writing job postings or job descriptions

If you provide a Generative AI with a list of qualities you want and a role title, it can help you draft a formal-sounding job description. Because the content is meant for public release, and job requirements can have a substantial impact on who applies, it is a high-risk use case.

Additional guidance:

The County expects employees to follow existing standards on the format and content of job postings based on classifications. Consult your Human Resources business partner or your Department’s HR representative for information on job classifications and postings.

Be mindful of the language used in the requirements, responsibilities, and tone used in the job posting. Check if the job description seems to use language stereotypically associated with a specific race or gender. Use gender-neutral language: Avoid using gender- specific pronouns (he, she) and job titles (fireman, firewoman). Instead, opt for inclusive terms such as “they” and “fire officer.” Remove gender-coded words: Avoid



using adjectives that may be associated with a specific gender, such as “aggressive” or “nurturing.” Use neutral descriptors, like “results-driven” or “collaborative.”¹¹

Example prompt steps:

1. Provide ChatGPT with the previous public posting for an Analyst I position and request that ChatGPT “Draft a similar job description, but with a focus on using information to inform park capital projects.”
2. Manually add in any non-public information to draft document produced by ChatGPT.
3. Carefully read through the document and edit for a more neutral tone, perform fact-check and other edits.

3.2.5. Creating images or video

Some Generative AI tools such as Stable Diffusion and Dall-E can create images or video clips based on text prompts. The County needs to maintain its legitimacy as a trustworthy source when using video and images, which requires substantial precautions whenever using AI-generated visual content.

Additional Guidance:

- Use only for illustrative purposes. For historical events, use real images rather than generated. For example, if you want a picture of a giraffe wearing a suit and tie for your presentation, generate it. If you are proposing a new visual diagram or abstract concept, you can also generate it. If you want a picture of the County Judge, find an actual picture.
- Always require a citation embedded into the image or video. Images and videos can easily be taken out of their original context and misinterpreted as reality. To prevent a news article or other secondary source from treating an image as fact, all images and frames of a video should specify that they were generated using an AI system. The citation should be included in the image itself and cannot be removed without editing or cropping the image.

Example Use Case:

¹¹ Krakovetskyi, O. (2023, March 22). Eliminating Bias in Job Descriptions with ChatGPT – The DevRain Tech Blog - Medium. *Medium*. <https://medium.com/devrain/eliminating-bias-in-job-descriptions-with-chatgpt-72b92ebc7911>

1. Provide a prompt: “drawing of falcon and its chicks on top of a skyscraper.”
2. Choose your image.
3. Embed the citation into the image: “Image generated by DALL-E-2.”
4. Add alt text into the image that clearly states the image was generated by an AI system.

Embedding citation into an image

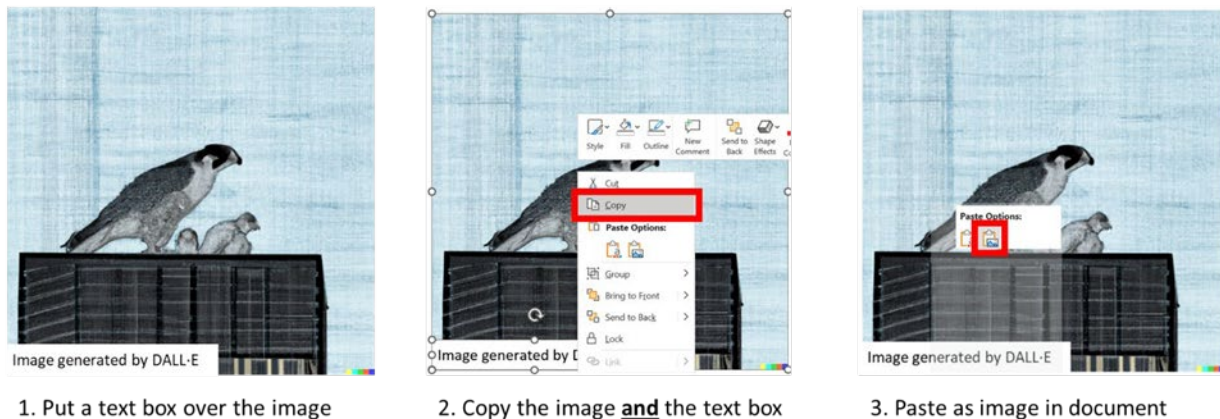


Figure 1: Three steps of embedding a text box into an image to cite the Generative AI system used for the image.

3.2.6. Creating presentation slides

If you provide Generative AI with some public information, it can create a presentation for you. Currently this feature is very new but may soon be integrated into existing applications like PowerPoint. Currently there is no clear leader in Generative AI for presentations, but a few examples are beautiful.ai and gamma.app. Presentations are automatically high risk because they go beyond text into images, which can present false information if the audience believes the image is real.

Suggested use:

- Provide a public document, or an outline with public information.

Additional guidance:

- Similar guidance to other public-facing documents, but with the additional requirement to cite all AI Generated images clearly on the image.

Example prompt steps:

1. Provide the AI with an article or outline from publicly available information. For example, an article about the evolution of cats.¹²
2. Generate the presentation.
3. Fact check all content, review for tone and language.

3.2.7. Cite Generative AI images

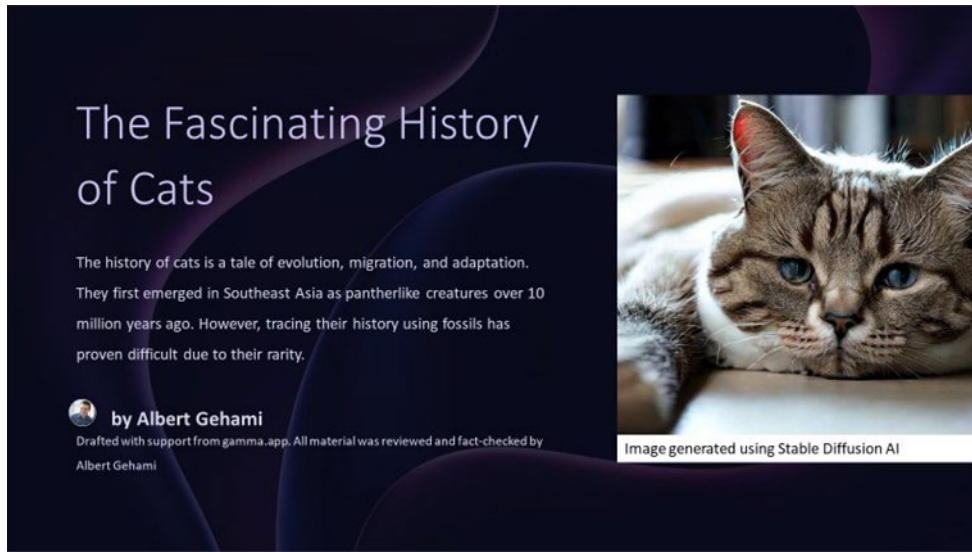


Figure 2: Image of a generated with support from the AI tool gamma.app. The image on the right was generated using Stable Diffusion AI and was cited as such.

3.2.8. Brief list of other high-risk use cases

Remember to follow the AI principles and general guidance for high-risk use cases.

- Creating diagrams. For example, “create a flow chart of a tree turning into wood pulp and then into paper.” Replace pictures before publishing.
- Drafting papers. For example, “Here is my outline for my research paper, and my findings, draft a complete paper.”

¹² Article used in example was Vsadmin. (2022, April 8). *The Evolution of Cats*. Killarney Cat Hospital. <https://www.killarneycat.com/the-evolution-cats/>



3.3. Examples of Prohibited Use Cases

3.2.1 Programming or coding

Why it is prohibited: Code generated by an AI may be outdated, copyrighted, have identified vulnerabilities, or rely on other code that no longer works. The generated code is not cited to a date (like a stack overflow post would be), so it is unclear when the code would have been good.

What can you do with Generative AI: AI can help frame your coding problem, and help you draft pseudo-code to solve your problem conceptually.

3.2.2 Evaluations and decisions

Why it is prohibited:

Evaluating job applicants using AI has led to countless scandals of biased application reviews.¹³ This evaluation issue also extends to other areas such as evaluating proposals or an existing employee.¹⁴ AI-based evaluations expose the County to public protest across many key County functions such as hiring and purchasing.

Additionally, Generative AI should not be used to determine highly sensitive decisions such as an individual's health plan, cost of bail, conviction of a crime, grades, or admissions to a program.

What can you do with Generative AI:

AI can help flag key words and identify phrases within a document (see the mid-risk use case). However, the actual evaluation should be made by a person.

3.2.3. Language Translation

Why it is prohibited:

¹³ Vallance, B. C. (2022, October 13). AI tools fail to reduce recruitment bias - study. *BBC News*. <https://www.bbc.com/news/technology-63228466>

¹⁴ In general, people react worse to negative evaluations from AI than they do to negative evaluations from people. Lopez, Alberto, and Ricardo Garza. "Consumer bias against evaluations received by artificial intelligence: the mediation effect of lack of transparency anxiety." *Journal of Research in Interactive Marketing* (2023).



Large Language Models like ChatGPT are not yet demonstrably better for translation than something like Google Translate.¹⁵ Google Translate is also an AI system, but is built for specifically translating text, compared to modern Generative AI systems like ChatGPT, which attempt to be a more general AI system for more problems.

Future Generative AI systems may be substantially better than existing translation AI systems, but they will require an evaluation of their performance before the County should use them over something like Google Translate. Translations should be confirmed by a fluent speaker of both languages whenever possible.

What can you do with Generative AI:

Test out the system in a risk-free environment (e.g., you and a coworker testing the system), and

3.2.4. Creating voice or other audio

Why it is prohibited:

Replicating a person's voice with AI in any County document or recording would undermine the trust of employees and the residents. Potential legal concerns also exist regarding replicating a person's voice. Do not generate audio through AI.

4. Additional Guidance around Generative AI

4.1. Be Aware of Targeted Cyber Attacks Using Generative AI

Although County employees are already familiar with handling cyber risks like phishing and malware, the advent of generative AI introduces heightened cybersecurity risks as the attacks can be more complex and personalized. Cyber threat actors may use generative AI in their attacks in the [following ways](#):

- Writing AI-powered, personalized phishing emails: With the help of generative AI, phishing emails no longer have the tell-tale signs of a scam—such as poor spelling, bad grammar, and lack of context. Plus, with AI like ChatGPT, threat actors can launch phishing attacks at unprecedented speed and scale.

¹⁵ Google Translate is also an AI system but is built differently than the modern Generative AI systems like ChatGPT or Google Bard, which attempt to act as a more general AI system for more problems than just translating text.



- Generating deep fake data: Since it can create convincing imitations of human activities—like writing, speech, and images—generative AI can be used in fraudulent activities such as identity theft, financial fraud, and disinformation.
- Cracking CAPTCHAs and password guessing: Used by sites and networks to comb out bots seeking unauthorized access, CAPTCHA can now be bypassed by hackers. By utilizing AI, they can also fulfill other repetitive tasks such as password guessing and brute-force attacks.

4.2. Detecting Generative AI

Software developers are building tools, like [GPTZero](#), [GPT Radar](#), and [Originality.AI](#), designed to detect if a body of writing was created by a generative AI tool. These tools are in early stages of development and their detection accuracy rate may not always be accurate and should be used with caution. For example, there have been [numerous incidents](#) of instructors using ChatGPT detection tools falsely accusing students of plagiarism, endangering their grades and even diplomas.

Despite the limited accuracy of these tools, they allow residents to check if County documents were generated by AI regardless of whether employees cite its usage or not. To build trust with residents, employees need to be proactive in communicating its usage of AI. Residents finding out on their own can cause reputation harm to the County.

4.3. Generative AI & Copyright

Numerous copyright lawsuits are springing up in which artists are suing AI companies like [Stability AI and Midjourney](#) for unauthorized use of their intellectual property to train the Generative AI systems. Large companies like [Getty Images and Shutterstock](#) are also joining suit against AI companies.

The US Copyright Office determined that art created solely by AI isn't eligible for copyright protection. Artists can attempt to register works made with assistance from AI, but they should show significant "[human authorship](#)." The office is also currently executing an [initiative](#) to "examine the copyright law and policy issues raised by artificial intelligence