



**Verbal Testimony - Dr. Sara Jordan, Future of Privacy Forum  
CA AB-13 (Public Contracts: automated decision systems)  
House Committee on Privacy And Consumer Protection  
State Capitol, Room 4202  
April 8, 2021 (10:30am PT / 1:30 pm ET)**

Thank you Mr. Chair, I am Dr. Sara Jordan from the Future of Privacy Forum.

FPF is a non-profit dedicated to supporting consumer privacy leadership and scholarship. Our mission is to advance principled data practices in support of emerging technologies.

Today, I'd like to take the opportunity to commend the sponsors for addressing an important issue of significant concern for privacy, data protection, and civil rights. The most recent amendments to AB-13 are significant improvements.

First, we commend the sponsors for crafting an amended definition of "automated decisionmaking" that accounts for the wide range of technical complexity in automated systems. Automated decisions are a ubiquitous feature in technology, from the very simple to complex -- which is why it's helpful to focus on algorithms that involve "a score, classification, recommendation, or other simplified output," that support or replace human decisionmaking, and in situations that "materially impact a person."

Second, the government contract stage is an appropriate stage for the introduction of algorithmic impact assessments for high-risk applications of automated decisionmaking. This would allow California government agencies to evaluate technology before it is implemented and lead by example through the development of reasonable guidance.

Specifically, AB-13 provides explicit criteria for what should be included in such assessments, a measure that illustrates to companies and the public clear and reasonable expectations for an automated decision system impact assessment. It's crucial that such measures serve to increase transparency without overburdening vendors or creating compliance barriers for new technology.

We would encourage lawmakers and agencies to continue to solicit the input of the business and technical community.

We've sent resources to the Committee as well - this bill is a step in the right direction on an important issue, and I'd be happy to discuss any aspect further.

Sincerely,  
Dr. Sara R. Jordan  
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**Attached:**

- FPF "Spectrum of Artificial Intelligence" Infographic
- FPF "Spectrum of Artificial Intelligence" Whitepaper