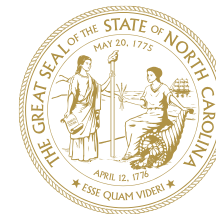


# North Carolina's Approach to Privacy & AI

*Presentation for the Task Force on  
Artificial Intelligence, Cybersecurity and Privacy*  
National Conference of State Legislatures

Cherie Givens, Chief Privacy Officer  
September 29, 2023



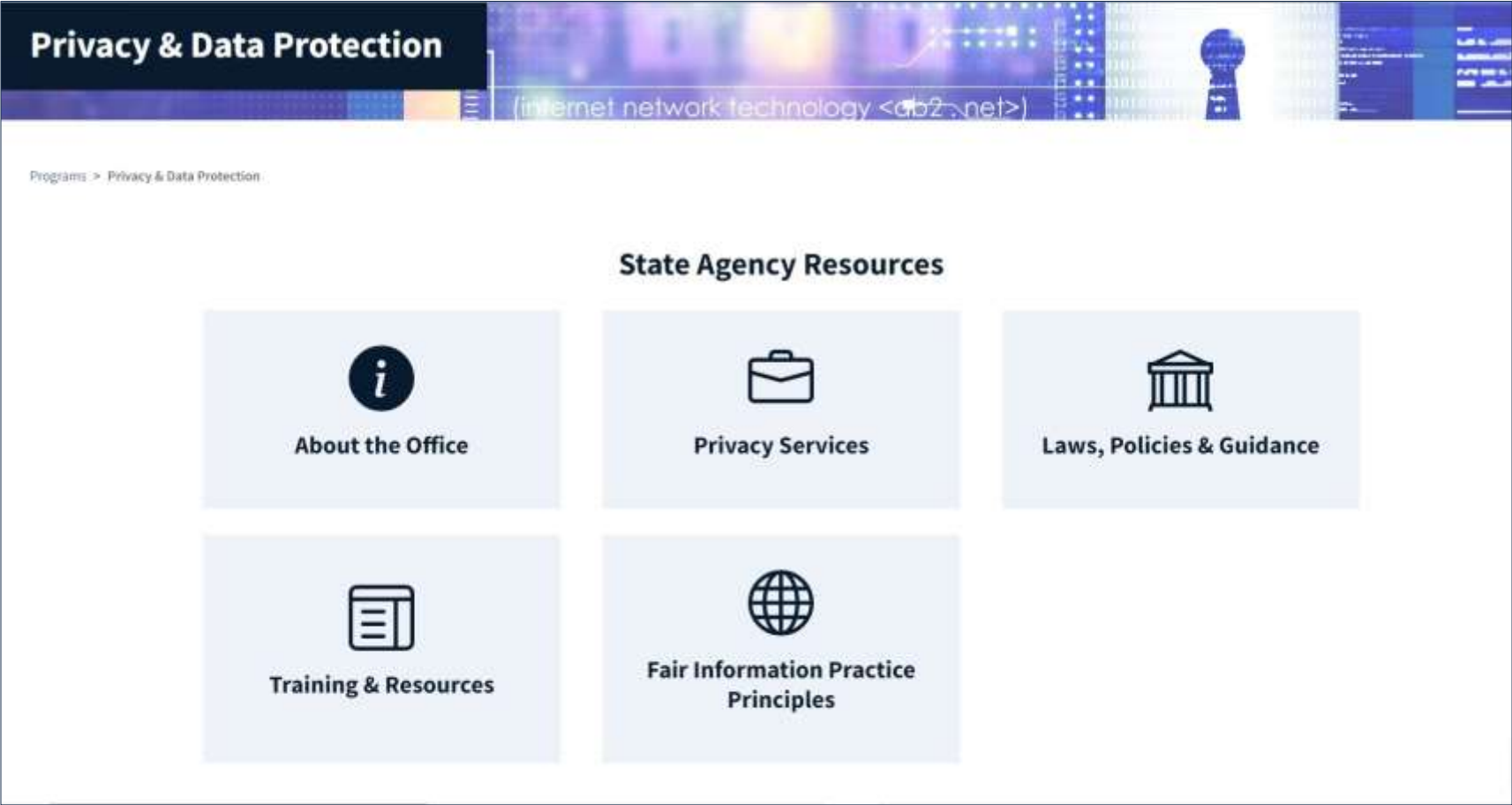
**NCDIT** | NORTH CAROLINA  
DEPARTMENT OF  
INFORMATION  
TECHNOLOGY

# North Carolina's Approach to Privacy Across the State

- Created the role of Chief Privacy Officer
- CPO
  - Assessed status of existing privacy efforts and performed a gap analysis
  - Reviewed alignment of laws with industry privacy and data protection best practices
  - Created a privacy plan
- Created the Foundations of Privacy Program
  - Privacy awareness
  - Embedded privacy points of contact
  - Adopted the Fair Information Practice Principles (FIPPs)
  - Privacy training
  - Monthly privacy meetings
  - Website
  - Services
- Efforts in 2023 to pass a state privacy law - [Senate Bill 525](#)



# Office of Privacy & Data Protection

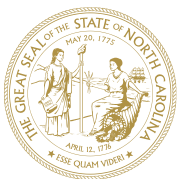
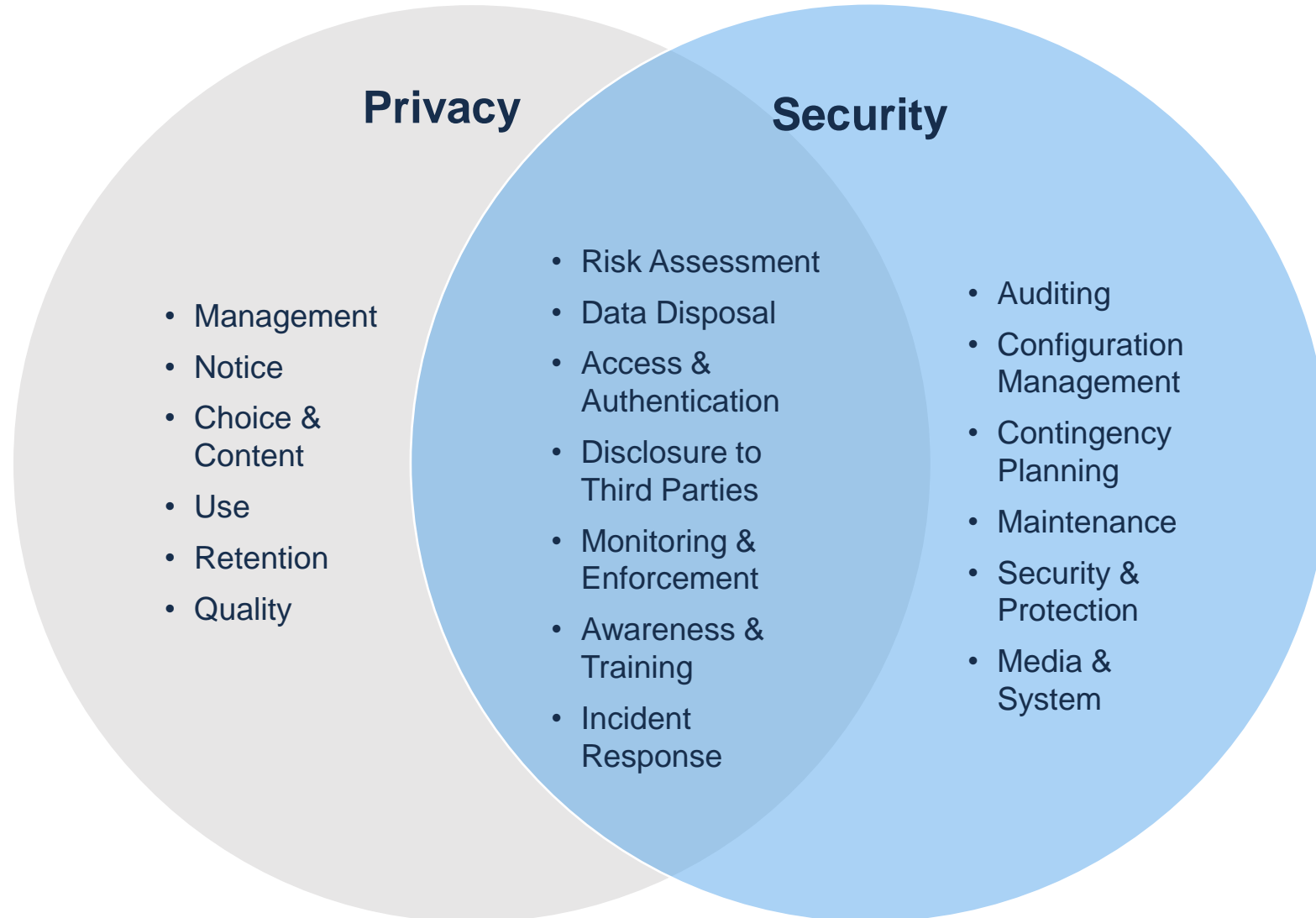


The screenshot shows the website header with the title "Privacy & Data Protection" and a navigation breadcrumb "Programs > Privacy & Data Protection". Below this is a section titled "State Agency Resources" containing five light blue buttons with icons and text: "About the Office" (info icon), "Privacy Services" (briefcase icon), "Laws, Policies & Guidance" (classical building icon), "Training & Resources" (document icon), and "Fair Information Practice Principles" (globe icon).



[it.nc.gov/privacy](https://it.nc.gov/privacy)

# Privacy & Cybersecurity-Related and Distinct Fields



# Privacy Laws in North Carolina

Privacy Laws, Policies & Guidance

<https://it.nc.gov/programs/privacy-data-protection/privacy-laws-policies-guidance>

- Provides links to state privacy laws including criminal statute, consumer protection, student privacy, and employee privacy laws

N.C. General Statutes - Chapter 143B Article 15: N.C. Department of Information Technology

- **N.C.G.S. 143B-1376 - Statewide Security and Privacy Standards**

N.C. General Statutes - Chapter 75 Article 2A: Identity Theft Protection Act

- N.C. General Statutes - **Chapter 14, Article 19C, Identity Theft, 14-113.20, Identifying Information** (provides a list of types of identifying information)

N.C. General Statutes - **Chapter 132: Public Records**



# Office of Privacy & Data Protection

- Budget approved to hire staff members
- Budget approved to move forward with data inventory
- Working with Enterprise Security and Risk Management Office to implement [NIST SP 800-53 Revision 5](#), Security and Privacy Controls for Information Systems and Organizations
- Guided by [OMB Circular A-130](#), Managing Information as a Strategic Resource
- Plans to implement [NIST Privacy Framework](#) and related guidance



# North Carolina's Approach to Governing Artificial Intelligence

## Using NIST Standard Definitions

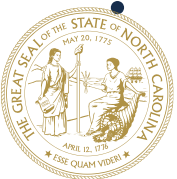
- **Artificial intelligence:** Artificial intelligence is the field concerned with developing techniques to allow computers to act in a manner that seems like an intelligent organism, such as a human would.
- **Generative AI:** A kind of artificial intelligence capable of generating new content such as code, images, music, text (e.g., ChatGPT), simulations, 3D objects, videos, etc.
- **Responsible AI:** An AI system that aligns development and behavior to goals and values. This includes developing and fielding AI technology in a manner that is consistent with democratic values.
- **Trustworthy AI:** Characteristics of trustworthy AI systems include valid and reliable, safe, secure and resilient, accountable and transparent, explainable and interpretable, privacy-enhanced, and fair with harmful bias managed.

NIST Glossary of AI Terms, March 2023



# Framework for Responsible Use of Artificial Intelligence

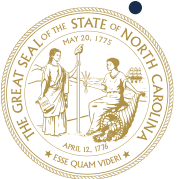
- *In draft*
- Applies to all artificial intelligence
- Includes six principles:
  - Human-centered
  - Transparency and explainability
  - Security and safety
  - Data privacy, protection, and governance
  - Diversity, non-discrimination, and fairness
  - Auditing and accountability
- Recommends using the NIST AI Risk Management Framework (AI RMF) to assess and manage risk to individuals, organizations, and society associated with AI
- Recommends implementing an AI inventory





# Interim Guidance for Use of Generative AI

- *In draft* – stakeholders review
- Guidance includes:
  - Training and awareness
  - Agency assessment and documentation of use
  - Ensuring responsible use and accuracy
  - Use of AI-generated visual, audio, and video Content
  - Reporting and escalation
  - AI and public records
  - Risks and limitations of generative AI
- Chart
- Definitions
- Appendix for use case/specific guidance



# Questions?

[ditprivacy@nc.gov](mailto:ditprivacy@nc.gov)

