

## Rethinking AI Ethics with Data Activism

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*In this lecture, we explore the intersection of AI ethics and data activism to make the case for the adoption of ethical vigilance in AI through data activism. We discuss two perspectives in the approach to AI ethics: a rights-based approach and a risk-based approach. I bring an interdisciplinary and cross-cultural approach to the subject lending critical diverse perspectives to the discussion.*

### Lecture Transcript

**0:00** Greetings, and thank you for inviting me to deliver this lecture and for including me in this exciting initiative of the Global AI Ethics Consortium. It is indeed an honor and a pleasure to share my work with you. Welcome to Rethinking AI Ethics with Data Activism. I work at the intersection of AI and criminal justice as an AI ethicist, a data activist and public interest technologist. I'm a criminologist, criminal psychologist and therapeutic jurisprudence specialist. I also have a background in terrorism studies and counterterrorism, which have contributed significantly to my experience in AI risk management, AI crisis management, AI crisis communication, and working with business leaders to help them communicate ethically about AI risks, and building public confidence and public trust in AI. I bring both a rights-based perspective and risk-based perspective to AI ethics and an interdisciplinary approach of sociology, psychology, forensic science, philosophy, politics, media and communication studies, feminism and journalism. I also bring a cross cultural approach as a black woman of African and South Asian heritage, born in Trinidad and Tobago, and living in the United States, celebrating my Caribbean American Heritage and the richness and diversity of that experience. From a rights-based AI perspective, I examine social justice, algorithmic justice, racial justice, design justice in AI, offering a more diverse, equitable and inclusive perspective to AI and data science. A perspective that is justice oriented and trauma informed. From a rights-based perspective, AI ethics is critical to ensuring human rights and civil rights and civil liberties are protected and remain protected. A rights-based perspective to AI ethics is about ensuring unchecked algorithms do not infringe upon, or erode, our democratic rights. From a risk-based perspective to AI ethics, from the C-suite to Main Street, I examine challenges such as detecting, mitigating and managing risks across the AI lifecycle, debiasing from design to deployment, monitoring and evaluating AI systems and bringing critical and creative thinking to the ways in which we do vulnerability audits and algorithmic impact assessments of algorithmic decision making systems. I work with business leaders showing them how we can use a rights-based approach, such as responsible AI, in a risk-based environment where it's all about the bottom line to build a business model or business continuity plans that promotes AI maturity and AI integrity and AI we can trust through ethical authenticity, no ethics washing, no ethical window dressing, and no ethical theater. Responsible AI is responsible leadership and that's the message I deliver to the C-suite. The most critical categories of ethical risks that we focus on in ethical AI are privacy, accountability, transparency, explainability, fairness and non discrimination and safety and security. The ethical risks, if undetected, often spiral into crises that can create significant challenges to an organization: reputational damage, revenue loss, regulatory

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backlash, criminal investigation, diminished public trust, and even a media exposé. A risk-based approach to ethical AI seeks to operationalize ethical AI and establish a risk culture within organizations throughout the design, development and deployment processes and to establish a culture of critical thinking, critical design and intellectual confrontation, open to inclusive innovation and ethical organizational culture that is bold enough to implement risk based solutions such as diversity, equity and inclusion to reduce harm and build public confidence and public trust in AI. So I understand the business of AI, but there is more urgent business to address in AI. At present, I'm a community scholar at Columbia University, and the first Data Activist in Residence at the School of Data Science at the University of Virginia, a position I've held for the last year. I'm also co-director of the University of Virginia's Public Interest Technology University Network.

**4:31** So, I seek to bring an ethical approach to the application of algorithms everywhere they are deployed. I advocate for justice oriented and trauma informed AI design principles and ethical algorithmic solutions built on justice, equity, diversity and inclusion, which are critical to stretching the imagination of AI. My work in the public interest technology space examines the many levels and deep layers of bias and discrimination, exclusion, marginalization, profiling, victimization, and other inequities in data, algorithmic decision making systems, AI and new and emerging technologies in general. I'm always thinking of fairness in AI against a backdrop of accountability, transparency, explainability, auditability, interoperability, blackbox opacity, even black box atrocities and other responsible AI and trustworthy AI solutions and approaches. My work examines algorithmic decision making and criminal justice, policing, sentencing and parole, investigating how algorithms could undermine procedural justice and frustrate due process, how algorithms could disregard duty of care because of a lack of due diligence around the power, privilege and politics inherent in data, and how historical data, often bias data, are impacting futures, denying so many access and resources and the opportunity to define our own legacies. There's no questioning my passion for AI, and its transformative power. AI's ability to generate extraordinary possibilities in every possible sector, and its potential to enhance everything we do. But I'm equally enthusiastic about getting AI right: ethical AI, responsible AI, AI we can trust. AI is a powerful technology with extraordinary promise to improve every aspect of our lives, at scale, and at speed. But we cannot continue to deploy AI without fully understanding and addressing its fundamental challenges and deficiencies. And that's why data activism is so critical. As the first Data Activist in Residence at UVA, my work looks at ways in which we can disrupt old thinking, challenge the data power structure and rethink and reimagine our data futures in the age of AI. Over the last year, I've been focusing on ways in which we can use data, algorithms and AI to make policing more accountable, more transparent, and more community led. In policing in the US, we have seen the dangers of algorithmic discrimination, such as wrongful arrest by facial recognition. We are outsourcing high stakes policing and criminal justice decision making to opaque algorithms that create risk scores and zombie predictions which systematically overestimate the risk of black and brown defendants. Algorithms codifying unconscious bias and systemic racism. Criminology is the work that brought me to AI. So naturally, I would be concerned about the assault of algorithmic decision making systems on policing, sentencing, juvenile justice, child protection, corrections, parole and public safety in general. Algorithmic injustice in real time, where the public oversight of AI inspired criminal justice risk assessment tools, or AI inspired policing strategies and algorithmic policing tactics. In policing, it is all about intelligence led policing, data driven policing, mapping, modeling, monitoring, tracing, tracking, and unfortunately, often traumatizing through predictive analytics.

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**8:29** Are communities being engaged, educated and informed about AI inspired policing, and the monetization of our data to create AI inspired crime prevention tools and techniques and how that same data, our data, are being weaponized against us? There is a wealth of empirical evidence showing us that the use of AI systems can often replicate historical and contemporary conditions of injustice, rather than alleviate them. What about procedural fairness and due process and duty of care? Are they even within the whole concept and thinking of algorithmic justice within the ways in which we deploy algorithmic decision making systems in criminal justice? I mean, how could we get fairness? And how could we speak about due process in algorithms when the data that algorithms learn from is often plagued with prejudice? How can we use data to design algorithms to make policing more accountable and more transparent? My work at UVA has evolved into the creation of a public interest tool that measures the algorithmic force being deployed by police on the streets. This tool which we are in the process of finetuning is critical, because there is need for greater public oversight and real time public scrutiny to bring greater accountability and transparency to the deployment of algorithms. This public interest tool will also reimagine community policing and foster greater community engagement and community involvement in the design, development, deployment and regulation of algorithms. And algorithms cannot be left unchecked. We continue to witness a proliferation of cases in which bias and discrimination are showing up in AI through datasets. Increasingly, we are seeing algorithms and autonomous agents creating wide accountability and transparency gaps and casualties about algorithmic injustice. We need an understanding that an algorithm is not simply a computation or code or a mathematical formula. An algorithm creates the legacy. An algorithm has the power to deny access, opportunities, wealth and undermine development and progress. An algorithm can defer a dream. And we don't ever want an algorithm to end a life. We must always think of data within the context of civil rights and consider concepts such as social justice and racial justice, design justice, and of course algorithmic justice, which are mandatory to ensuring human rights and civil rights remain protected. Predictive Analytics, algorithmic policing and intrusive surveillance technologies are not only redefining privacy, but invasive data collection and AI fueled surveillance are changing the ways in which we interact with each other and the ways in which we interact with our environment. Algorithmic injustices are creating a trajectory of intergenerational trauma and harm and inequalities and long term negative impacts on society. Computational models are being used to disenfranchise and disempower and disinvest in our high needs, underserved and already under-resourced communities. Think, think about it. Algorithmic exclusion. Algorithmic determination. Think about the ways in which these long term political consequences could be devastating if something like algorithmic determinism becomes a reality. It all comes back to data. Data is about power, privilege, and politics. Data is wrapped up in popular predispositions, age old stereotypes and agendas. Data affects every aspect of decision making. Data is capital in a data driven society. How data is collected, how data is analyzed, how data is used. Our data is now our DNA in this data driven world. Our data also seems to be our destiny. But should our data be our destiny? What about questions such as agency, how algorithms are undermining agency and our freedom to decide what's in our best interest? We need to think about how we can use data to correct the inequities and to address the wrongs. What's the change required?

**12:55** And what data do we need to do the work that needs to be done to bring a justice oriented and trauma informed approach to AI that is diverse, equitable, inclusive? Data in the best interest of the public, data for civic action, data to create a technology for the advancement of all. We must challenge data, disrupt that old thinking that data is objective and neutral, and design creative ways for us to use data more equitably, to reimagine our AI futures together. In the age of AI, we are faced with data discrimination, data profiling, data, marginalization, data

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victimization, the monetization of our data, and the weaponization of our data. And that's why data activism is so critical at this moment. Data activism offers a radical rethinking of ethical AI. We need to embrace data activism because we need to move swiftly from conversation to action. Data activism moves us from a passive and reactive position to a proactive and radical stance that demands broad based participation, diverse and inclusive stakeholder engagement, civic engagement, public engagement, public education on the impacts of data and algorithms and AI on society. So data activism is much more than using data to foster social change. It forces us to stretch the ethical and creative imagination of AI and new and emerging technologies. It also forces us to reimagine our data futures together, with all of us in it, expanding the range of experts and stakeholders involved in how we think about data, and how we engage interdisciplinary teams and multicultural collaborations to find solutions to reduce the hidden effects of algorithms, the racial, economic and educational disparities that we are seeing. So we have seen when AI gets it wrong, and how destructive an algorithm could be, and how an algorithm that makes a false prediction or discriminates because of biased data can change the trajectory of life and create a history of intergenerational trauma and pain for families and communities. Data activism is real time, and it is a real time response to erecting those stringent and sturdy ethical guardrails that dynamically and vibrantly outline risks and responsibilities and rights. Data activism advocates for interrogating data driven decision making systems and algorithms, and to reduce the disparities, protect against the biases and unfairness, engage a diverse and inclusive research, engage interdisciplinary approaches, cross cultural interventions, expand the range of experts and stakeholders involved in how we audit algorithms and how we think about data. Data activism asks that we rethink the meeting of experts to include communities. We must use data activism to transform the structural inequities persistent in AI and to recognize marginalized and minoritized communities as experts and key stakeholders in the management of their data and data knowledge produced. I say it every time. A data activist must be the conscience of the data scientist. So conscious raising, building ethical awareness and developing ethical resilience in data scientists whose due diligence and eternal vigilance are critical to my work. Data activism requires that we live in the ethical moment. The future of AI ethics is eternal vigilance, eternal ethical vigilance through data activism. I thank you.