

Senior Industry Leaders Need to Learn About AI

Reuters

October 22, 2021 | Publications

Bradley Merrill Thompson, Strategic Advisor with EBG Advisors and Member of the Firm at Epstein Becker Green, authored an article in *Reuters*, titled "Senior Industry Leaders Need to Learn About AI."

Following is an excerpt (see below to download the full version in PDF format):

Imagine this. You are President of the United States. It's your dream job, because you have more power than anyone else in the world, and nobody ever criticizes you. It's nothing but four years of Nirvana (the transcendent state, not the Seattle Grudge band).

In walks your Secretary of State to tell you about a new policy that the U.S. adopted to impose sanctions on France to address the fact that their wine tastes too good. Apparently, the French didn't take it very well, and are retaliating with their own sanctions. You ask who put the U.S. policy in place, and the Secretary explains that it was Jake, a junior analyst on the France desk. You ask why such an important decision was made by a junior analyst, and the Secretary explains, "He knows French." Honestly, this happens every day in corporate America, but instead of U.S./France sanctions, it's adopting the use of algorithms that play important business functions that, when done incorrectly, can lead to liability. For example, when algorithms that facilitate selection of qualified individuals for employment, promotion, credit, or for the provision of medical care, government services, or even entrance into office buildings, are created in a way that could lead to adverse disparate impact on racial and ethnic minorities, women, or other protected groups, such algorithms not surprisingly may violate the law.

People



Bradley Merrill Thompson
Strategic Advisor
Artificial Intelligence
202-861-1817
bthompson@ebglaw.com

Focus Areas

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Further, quite apart from discriminatory impact, algorithms that simply do not work as intended could cause injury and actionable claims.

In both events, there is substantial risk of federal or state enforcement action.

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