



# HOUSE OF REPRESENTATIVES

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*Testimony of Rep. Gary Friedmann introducing*

**LD 872, An Act to Ensure Determinations Made by the State Are Free from Unethical,  
Unsafe or Illegal Interference by Artificial Intelligence**

*Before the Joint Standing Committee on State and Local Government*

Senator Baldacci, Representative Salisbury and honorable members of the Committee on State and Local Government, my name is Gary Friedmann and I represent House District 14, which includes Bar Harbor, Cranberry Isles, Lamoine and Mount Desert. It is my honor to present to you **LD 872, An Act to Ensure Determinations Made by the State Are Free from Unethical, Unsafe or Illegal Interference by Artificial Intelligence.**

The growth in the power and the prevalence of artificial intelligence (AI) systems like ChatGPT is explosive. These include systems that are called large language models (LLMs) or Generative AI that we can interact with in conversational ways. We can prompt them with words to perform all kinds of functions that can, for instance, increase work productivity, advance our knowledge or enrich our lives in other ways.<sup>1</sup>

Here in Maine, for instance, police departments are using them to save time writing reports and town councilors are using them to research complex questions and synthesize policy options.<sup>2</sup> But these new kinds of AI can also malfunction in ways that, for instance, discriminate or lie, commit economic fraud or election interference, or pose threats to the security and integrity of our institutions and communities.

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<sup>1</sup>Anyone who uses Google now gets either an option to use their Generative AI system called Gemini or else it is simply automatically deployed. Zoom, Microsoft Office products and a wide variety of other software are increasingly weaving these powerful systems into the fabric of our work lives. One introduction to such AI systems recommended to me by a constituent is Ethan Mollick's Co-Intelligence: Living and Working with AI. New York: Portfolio, 2024. Mollick is a Wharton Business Professor who also has a blog for keeping up with some of the ongoing news about AI: "One Useful Thing, <https://www.oneusefulting.org/>.

<sup>2</sup> <https://www.bangordailynews.com/2024/12/26/state/state-police-courts/maine-experts-wary-ai-use-police-departments-joam40zk0w/>

Our state agencies and municipal governments face a host of challenges here that we are just beginning to understand. And the pace at which new versions of AI products are being developed and put into use just keeps accelerating.

What would be an appropriate role for the 132nd Legislature in dealing with these issues? In response to a complex range of concerns that have come up, a wide variety of bills on AI are being introduced in states all across the country.<sup>3</sup> However, given the pace of the technological changes, the attempt to write individual laws to address each new form of AI and/or each new kind of malfunction or misuse would condemn us to a kind of unending, futile game of whack-a-mole.

We need to have capable staff in a state agency who can do the ongoing research and policy development to figure out what kinds of AI are ethical, legal and safe for the employees and subcontractors of the state to use and who can share that information and insight with the municipal governments, businesses, non-governmental organizations, civic organizations and citizens who need it to interact with the state government as well as with each other in ethical, legal and safe ways.

The Office of Information Technology has already made good headway on developing a policy, “To specify Guiding Principles and Directives for responsible, transparent and ethical use of GenAI within the Executive Branch of the Maine State Government.”<sup>4</sup> Their work could provide a core basis for identifying and sharing the information and insight needed.

Further, the Maine Artificial Intelligence Task Force created by the Gov. Mills in December is playing another key role by engaging, “With communities, industries, and organizations to understand AI’s policy implications for Maine’s economy and workforce, regulatory and legislative actions required to protect Mainers from the risks AI presents, and opportunities to harness these powerful new technologies to improve public-sector service delivery.”<sup>5</sup> They have been tasked to complete a report by October 25 of this year and this will very likely include proposals that will call for funding and perhaps regulation that will require legislative authorization.

Given the urgency of the issues AI raises and nature of our two-year legislative cycle and workflow, it is important that 132<sup>nd</sup> Legislature begin work now to prepare the way for receiving and responding to proposals the task force may offer.

The aims of LD 872 are to:

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<sup>3</sup><https://www.ncsl.org/technology-and-communication/artificial-intelligence-in-government-the-federal-and-state-landscape>

<sup>4</sup><https://www.maine.gov/oit/sites/maine.gov.oit/files/inline-files/GenAIPolicy.pdf>

<sup>5</sup><https://www.maine.gov/future/artificial-intelligence-task-force#:~:text=The%20Maine%20Artificial%20Intelligence%20Task,for%20the%20State%20of%20Maine.>

1. Establish the office of Artificial Intelligence within the Office of Information Technology;
2. Set standards for the ethical, safe and legal use of AI;
3. Develop and publish a list of safe and legal AI software and systems; and
4. Create a collaborative structure for working with other states, the federal government, and organizations to assure access to ethical, legal and safe forms of AI for our state and local governments and private citizens.

I personally find myself fascinated as well as, at times, awed by the opportunities and challenges AI poses and I look forward to learning more about them and how we can best address them in our roles as legislators. I hope you all will feel a similar sense of both fascination and responsibility to address these issues and that you will recommend this bill for Ought to Pass.

Thank you. I am happy to answer any questions you may have.

# Experts fear ‘worst case scenario’ as more Maine police departments adopt AI

*Bangor Daily News*

by Marie Weidmayer December 26, 2024

Artificial intelligence popped up everywhere in 2024, including Maine police departments. The Cumberland and Somerset county sheriff’s offices, as well as Portland police, will start using AI to write reports in 2025. They will use Axon’s Draft One, which claims it can halve the amount of time police officers spend writing reports by using OpenAI’s ChatGPT to write them based on video from body-worn and dashboard cameras.

Penobscot Regional Communications Center’s nonemergency line started using AI in the spring to direct callers.

While police say it will save officers time, experts are concerned that AI — a technology that notoriously lacks transparency in how it works — will lead to evidentiary problems as well as remove the natural discipline that writing reports creates.

Once a new budget year starts in July, the Cumberland County Sheriff’s Office will start using Draft One, Chief Deputy Brian Pellerin said. It will likely be used for all cases but will be supplemental for bigger cases, such as an investigation into robberies at multiple locations, Pellerin said.

The Portland Police Department will implement Draft One in the near future, but only for reports that won’t end up in court, like when officers respond to someone who fell on a city sidewalk, Maj. Jason King said.

“We want to take it slow and make sure we do it the right way,” King said.

Axon and the Somerset County Sheriff’s Office did not respond to requests for interviews.

Bangor police are not using nor considering using AI for writing reports, Sgt. Jason McAmbley said.

Draft One provides a written summary of the video in minutes. It’s significantly faster than an officer writing a report from scratch, even including the time it takes an officer to review the report and make edits, Pellerin said.

Large language model AI has a documented problem making things up — known as hallucinations — and adding them to written documents, which means they can create errors in police reports, American Civil Liberties Union Senior Policy Analyst Jay Stanley said. There are also concerns with whether AI can accurately transcribe people who speak with accents.

Axon has a setting, which police can choose to turn on or off, that will insert completely unrelated sentences into a report to ensure officers read it, Stanley said.

Portland police are considering using that feature, King said.

Portland is drafting best practices in conjunction with the district attorney's office. The policy is explicitly clear that the report must be the officer's own work and reviewed to ensure it's accurate, King said.

Police should not be using Draft One or other AI, said Maria Villegas Bravo, a law fellow for Electronic Privacy Information Center, a nonprofit that advocates for the right to digital privacy.

"If they're going to use it, they should have really high standards for actually substantiating the claims that these companies are making," Villegas Bravo said. "Is that actually accurate? Is it actually reliable? Will it actually be a time saver?"

Writing a police report makes officers go through the effort of memorializing how they used their powers and their actions, which is a way for them to hold themselves accountable, Stanley said. That discipline is lost if AI writes the reports, he said.

"Police reports aren't just some willy-nilly administrative thing that's annoying to fill out," Villegas Bravo said. "It is a meaningful part of the job."

When writing a report, a Cumberland County Sheriff's Office deputy will go back and forth from the report to the video to verify information, Pellerin said. Draft One removes those steps.

"It will be a trust but verify kind of approach to it when we produce a police written report [from Draft One]," Pellerin said.

When reports — whether written by Draft One or an officer — go to the prosecutor's office, they're accompanied by a video of the same incident, Pellerin said.

If officers are spending less time writing reports, they're also likely to spend less time reviewing the reports and checking that things are accurate, Villegas Bravo said.

"In a perfect world, the AI would just be a helper and then the police officer would go through it thoroughly and make sure that it's accurate and correct any inaccuracies," Stanley said. "But we all know we don't live in a perfect world."

An officer could get busy and not fix every inaccuracy, Stanley said. The report could also be written with a bias the officer doesn't notice and then affect how any criminal case moves forward.

But reports through Draft One are surprisingly accurate, Pellerin said. It's not a complete report and is full of highlighted sections and brackets that require an officer to go through the document.

It should reduce the amount of time officers are sitting at computers writing reports, Pellerin said.

“I think it’s a game changer, you know, for your standard OUI traffic stop, vandalism arrest, things we think of like traditional patrol response,” Pellerin said. “It’ll be very helpful there, as far as time and accuracy, but I think you’re still going to need the old fashioned investigator shoe leather of going out and building your case and your probable cause.”

A police report written with AI hasn’t entered a high-profile court yet, Stanley said. When it does, there will likely be questions about who actually wrote the report, if it accurately reflects what needs to be turned over as potentially exculpatory evidence, and who is called to testify, including potentially scientists behind the AI.

Who or what technologies have access to the video and audio after the report is written is another concern Villegas Bravo raised. It may be used to continue training AI or sold to a data broker who then uses it in unknown ways, she said. That’s concerning because the police interviews likely contain sensitive information and conversations with people who were victims of crimes.

“We can’t meaningfully interrogate these technologies, but the literal worst case scenario is life or death situations or wrongful imprisonment,” Villegas Bravo said. “We really need to interrogate these technologies to make sure that it’s the highest level of quality.”