ARTIFICIAL INTELLIGENCE & RECORDS MANAGEMENT

Indiana Archives and Records Administration

1

Are AI interactions public records?
Yes - AI interactions are public records when the input and/or output meet the definition of "record" as described in IC 5-15-5.1-1(o).
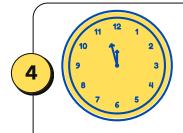
2

What are some common examples of AI records?
- Outputs such as an image or data analysis.
- Inputs and prompts such as instructions & parameters.
- Source data & training datasets.
- Administrative records about development & management of an AI system.

3

What if I interact with AI using a personal account?
AI interactions performed in the course of your job duties are public records regardless of how you interact with the AI system – if you use a personal account to conduct business for your agency or office then you are creating public records. Remember, it is against MPH and IOT policy to use personal AI accounts for state work.

4

How long should I retain AI interactions?
Like any other record, AI records must be retained according to your agency or office's business and legal needs. Ask yourself:
- What is the interaction about?
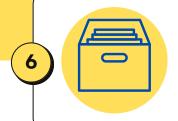- What was the purpose of the interaction?

5

How do I save AI interactions?
Many AI systems may lack "easy button" records retention functionality & you may need to retain AI interactions outside of the AI system. When in doubt, choose the most common format and save to a backed up, secure, agency/office-managed location.

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Do I need to retain all AI records?
No, retaining everything is a strategy for chaos. Instead, see item 4 in this guide: How long should I retain AI interactions?

7

How do I handle Access to Public Records Act (APRA) requests for AI interactions?
Consult your agency or office legal counsel or the Public Access Counselor (pac@opac.in.gov). It is crucial to ensure records pertaining to AI interactions are accessible for the duration of their lifespan.

8

Are all AI records transitory?
No. AI used for brainstorming might be considered transitory. AI used to develop policy most certainly would not. When an AI assistant is used to develop content, the outputs that make up the initial content may be considered transitory. In this case, the final version of the content would be considered the record.

9

Can I consider an AI interaction to be trustworthy?
Never assume an AI interaction has created a trustworthy record. Always include a "human in the loop" component to any AI interaction to help ensure you are checking outputs for veracity and accuracy and can prove both if called upon to do so.

10

What supporting records should I retain?
The more you rely on decision-making capabilities of AI systems, the more important it is to retain supporting records. Supporting records to retain include prompts/inputs/source data; system design/development/testing; and decision-making criteria that demonstrates how outputs have been achieved.