In The News

# Akerman Attorneys Explain DOJ's New AI Guidance

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In a new *Bloomberg Law* article, Akerman attorneys break down the U.S. Department of Justice's recent artificial intelligence-related revisions to its Evaluation of Corporate Compliance Programs (ECCP). The revised text of the ECCP sets forth questions and considerations that the DOJ will raise in any criminal investigation into a company's use of AI that leads to compliance failures or failure to detect criminal activity.

White Collar Crime and Government Investigations Co-Chairs Sergio Acosta and Jacqueline Arango, along with Litigation and White Collar Practice Group Partner Ildefonso Mas and CFS+ Partner Christy Hawkins, outline the questions businesses using AI should consider and document as part of the risk assessment process. The team notes that these considerations show that the DOJ requires, among other things, human accountability, controls, testing, and periodic evaluation of AI tools.

"Notably, these revisions are provided within the larger framework of the ECCP, which establishes that companies should perform risk assessments, craft policy and procedures that respond to the risk assessment, communicate those policies to employees, report and investigate compliance failures and misconduct, and apply the same compliance controls to third-party vendors," the attorneys write.

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