Administration Department

To: Public, Safety and Welfare Committee

From: Mayor McFarland

Date: January 31, 2025

Subject: Proposed Deepfake Ordinance

Background

Committee Members,

For your consideration is a proposed ordinance that would make it illegal in the City limits to create, edit, transfer or share known deepfake material. In this day and age when technology often outpaces the government's speed to create law, we can find communities in a position of technological vulnerability. As we did in 2019, when we banned the sale of electronic cigarettes to minors in the city limits because state law didn't yet exist, I am again- with the support of the City Attorney and the Police Chief—proposing that we protect our residents in a situation where state law has yet to catch up.

The term "deepfake" is a relatively new one, and while it is defined in the proposed ordinance in legal terms, it is more simply defined as, "a manipulated video, image, or audio recording that appears real, created using artificial intelligence techniques to make someone appear to say or do something they never actually did." Examples of using deepfakes range from adults to prominent figures, to children. Deepfakes can have considerable impacts on the lives of our residents; they can deeply impact mental wellbeing, they can prevent someone from advancing in school or at their career, they can create an unstable situation where people may cross legal and ethical boundaries, and so on.

While I am hopeful that state and federal law will catch up with this technology in the future, I believe that we can pass this small addition (addition of Section C and addition to Section D) change to an existing section of code (410-39) and make it clear that is not allowable in Watertown.

Budget Goal

Maintains a safe and healthy community, with an eye toward future needs and trends

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Financial Impact

None

Recommendation

The recommendation is to approve the ordinance at committee so it can be considered by the Common Council.