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Informed Innovation: Establishing a Generative AI Incident Investigation Framework in Utah

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Executive Summary

The State of Utah's Office of Artificial Intelligence Policy (OAIP) has a "regulatory sandbox" in which companies can experiment with AI technologies. This project recommends that the OAIP adopt a standardized framework for organizations that participate in this sandbox to use when investigating any harmful generative AI (GenAI) incidents. It further argues that organizations that use the sandbox should publish investigation reports through the OAIP and sign a pledge agreeing to adhere to the framework's guidelines. The project posits that these steps would help prevent repeated harm, promote trust in both GenAI and the State of Utah, and help strengthen shared knowledge throughout the GenAI field.

Problem

Utah's current GenAI guidelines for partner organizations focus on how to mitigate harm during a technology's initial adoption. Its regulatory sandbox agreement lacks guidance on what to do if a GenAI incident occurs while the company is experimenting in the sandbox. Within the context of this project, a GenAI incident is defined as an event, circumstance, or series of events in which the development, use, or malfunction of a generative artificial intelligence system causes direct harm to an operator, user, or person(s) subject to decisions based on the outputs of the system. For example, research and real-world incidents show that GenAI systems can inadvertently deliver biased results, resulting in unfair decisions that impact finances or livelihoods; recommend illegal activities; or recommend activities that can cause physical harm to humans. And with GenAI technology constantly evolving, as with all emerging technologies, harmful incidents can

occur despite the most careful deployment standards. The project argues that the OAIP and its partners need a plan to investigate such incidents when they occur.

> *"The OAIP should expand the scope of its efforts to promote GenAI innovation and public safety by adopting a standardized approach to investigating GenAI incidents."*

Solution

This project proposes that the OAIP adopt and make public a "GenAI Forward" framework for investigating GenAI incidents. Drawing on best practices from other industries like aviation and medicine, GenAI Forward includes steps for creating a team of representatives to determine the various factors that contributed to an incident, with the ultimate goal of mitigating or preventing future harm. The project also suggests that the OAIP should publicly share investigation outcomes and a list of its partners who have agreed to follow the framework's guidelines. Along with creating a pledge for outside companies to incorporate GenAI Forward, these efforts could help the OAIP lead a new standard for transparent GenAI safety.

If you'd like to learn more, see the full project at aspenpolicyacademy.org/ project/genai-forward-incidents-2026.

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