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Testimony in favor of Senate Bill 21-169
Senate Business, Labor & Technology Committee, May 3, 2021 - 1:30 p.m.

Good afternoon Mr. Chair, members of the committee, Senator Buckner. My name is Peter Severson and I am the director of Lutheran Advocacy Ministry Colorado, the advocacy arm of the Evangelical Lutheran Church in America. We have about 110 congregations and ministries spread across every Senate district in the state.

I am here today to testify in support of the bill, and to ask for your support. In the ELCA, our social teaching has this to say about the larger issue before us today in Senate Bill 169:

"We call upon our society to give priority to people and groups who are not benefitting from access to services such as insurance: especially people who are historically uninsured and underinsured, people living in poverty, those in rural areas, immigrants, marginalized groups, and those suffering the consequences of our failure to implement adequate public protections."

The Division of Insurance ought to have tools to examine the data and algorithmic processes to protect consumers. The people of Colorado ought to be able to count on a division within the structure of state government - whose job is to act on the people's behalf, and for the people's benefit - that can help ensure that Coloradans get a more fair shake when it comes to insurance, which is subject to perpetuating the same discriminatory legacies to which all of us are subject if we are not conscious about stepping away from them.

These algorithms and predictive models can be useful tools to help process huge amounts of data. They may be intended to be impersonal, but they are the product of human creation, and so as Sen. Buckner said, we should not mistake them as purely "objective". In the church, we would say it this way: we are all in bondage to sin and cannot free ourselves. There is nothing unimpeachable about a human-created process. They are not deities and it is not impossible to examine how they work.

The bottom line is that humans are so much more complex than algorithms might suggest, as are the social conditions in which these algorithms are used. It is our belief that we should attend to the broadest possible perspective of who people are, to assess risk holistically but with specific attention to legacies of racism and other harms in the forefront of our minds.

The final irony I want to observe is that AI and algorithmic processes are sometimes described - seriously or tongue-in-cheek - as a so-called God-point-of-view. We believe that if we truly aspired to that, we would not simply rely on opaque processes and pat dogmas about risk that we assume are going to produce fair outcomes. Instead, a God-point-of-view would actually pay attention to all the intersecting social, cultural, embodied realities that define who we are, because our belief is that God sees every person as someone with equal inherent dignity and equal inherent inalienable rights. This is one small part of moving us toward a bigger perspective of who people are.