

## HARM BLINDNESS FRAMEWORK

### ENFORCEMENT TEMPLATES FOR POLICY IMPLEMENTATION

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**Collaboration Welcome:** Modifications require collaborative involvement with author to maintain systematic rigor. Contact above email to discuss applications, adaptations, or integrations.

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## ABOUT THESE TEMPLATES

These templates provide ready-to-use policy language for mandating systematic stakeholder analysis in various contexts. Policy makers, regulators, and institutional leaders can adapt this language for:

- Government procurement requirements
- Regulatory compliance frameworks
- Industry certification standards
- Institutional governance policies
- Professional licensing requirements
- International development standards

**Each template is structured to be:**

- Concrete and enforceable (not abstract principles)
- Auditable (clear documentation requirements)

- Scalable (works for organizations of different sizes)
  - Legally defensible (based on documented methodology)
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## **TEMPLATE 1: GOVERNMENT PROCUREMENT REQUIREMENTS**

### **For Federal/State/Local Government AI Procurement**

#### **Short Form (for RFPs):**

##### **STAKEHOLDER ANALYSIS REQUIREMENT**

All AI systems [purchased by / deployed by / sold to] [Agency Name] must demonstrate completion of systematic stakeholder analysis during development.

Vendors must provide documentation showing:

1. Checkpoint 1 (Ideation): Identification of all affected stakeholder groups beyond direct users
2. Checkpoint 2 (Design): Analysis of incentive structures and potential harms
3. Checkpoint 3 (Testing): Documentation of testing coverage and gaps
4. Checkpoint 4 (Launch): Complete stakeholder impact assessment with executive sign-off

Documentation must be produced for review prior to contract award and updated annually for duration of contract.

Non-compliance will result in contract ineligibility.

#### **Long Form (for Detailed Procurement Standards):**

##### **COMPREHENSIVE STAKEHOLDER ANALYSIS MANDATE**

## 1. REQUIREMENT SCOPE

This requirement applies to all technology systems that:

- a) Process data about individuals
- b) Make or influence decisions affecting people
- c) Automate workflows previously performed by humans
- d) Scale to affect more than 1,000 individuals

## 2. MANDATORY CHECKPOINTS

Vendors must demonstrate completion of four stakeholder analysis checkpoints during development:

### CHECKPOINT 1 - IDEATION PHASE

Required Documentation:

- Complete list of stakeholder groups affected (direct and indirect)
- Assessment of impacts at scale (1000x current usage)
- Analysis of non-adopters and disadvantaged populations
- Initial risk identification
- Project owner sign-off acknowledging stakeholder identification

### CHECKPOINT 2 - DESIGN PHASE

Required Documentation:

- Technical architecture overview
- Incentive structure analysis (behaviors rewarded/punished)
- Identification of potential perverse incentives

- Mitigation strategies for identified risks
- Technical lead sign-off on design implications

### CHECKPOINT 3 - TESTING PHASE

#### Required Documentation:

- Testing methodology and population coverage
- Identified gaps in testing (who was NOT tested)
- Results from diverse user testing
- Accessibility compliance verification
- QA lead sign-off acknowledging limitations

### CHECKPOINT 4 - LAUNCH PHASE

#### Required Documentation:

- Complete stakeholder analysis table (benefits vs harms for each group)
- Net outcome assessment
- Long-term precedent consideration
- Public defense statement ("can we defend this publicly?")
- Executive sign-off accepting responsibility for impacts

## 3. DOCUMENTATION STANDARDS

#### All checkpoint documentation must include:

- Date of checkpoint completion
- Names and roles of participants
- Complete stakeholder analysis
- Identified risks with probability and impact ratings
- Mitigation strategies with assigned owners

- Final decision (proceed/modify/cancel) with reasoning
- Sign-off from designated decision-maker

Documentation must be:

- Searchable and accessible for audit
- Preserved for contract duration + 5 years
- Produced upon government request within 5 business days

#### 4. AUDIT REQUIREMENTS

Government reserves right to:

- Audit documentation at any time
- Interview checkpoint participants
- Review methodology and quality of analysis
- Verify stakeholder representation was adequate
- Assess whether identified harms were properly mitigated

#### 5. ENFORCEMENT

Non-compliance will result in:

- Contract ineligibility for current procurement
- Requirement to remediate before future eligibility
- Notification to other government entities
- Potential contract termination for existing agreements

Falsification of documentation will result in:

- Immediate contract termination

- Debarment from government contracts
- Referral for legal action

## 6. COMPLIANCE TIMELINE

For new contracts: All checkpoints completed before contract execution

For existing systems: Retroactive analysis due within 180 days

For updates/changes: New checkpoints required for major modifications

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## TEMPLATE 2: REGULATORY COMPLIANCE MANDATE

**For Regulatory Agencies (FDA, FTC, SEC, etc.)**

### STAKEHOLDER HARM PREVENTION REGULATION

[Regulation Number]: Systematic Stakeholder Analysis for [Industry Sector]

#### 1. REGULATORY AUTHORITY

Under authority of [Enabling Statute], [Agency Name] requires systematic stakeholder analysis for all [regulated products/services] that [trigger conditions: process personal data / affect public health / influence financial decisions / etc.].

#### 2. COVERED ENTITIES

This regulation applies to:

- Companies developing [AI systems / automated decision-making / etc.]
- Organizations deploying systems affecting more than [threshold] people

- Any entity seeking [regulatory approval / market authorization]

### 3. MANDATORY ANALYSIS FRAMEWORK

Covered entities must implement stakeholder analysis at four development checkpoints:

- a) Before development begins (Ideation)
- b) Before implementation starts (Design)
- c) Before preparation for launch (Testing)
- d) Before deployment to market (Launch)

At each checkpoint, entities must:

- Identify ALL affected stakeholder groups
- Assess potential benefits and harms for each group
- Prioritize risks by probability and impact
- Define mitigation strategies with assigned responsibility
- Obtain executive sign-off on decisions

### 4. DOCUMENTATION REQUIREMENTS

Entities must maintain checkpoint documentation including:

- Stakeholder identification and analysis
- Risk assessments with mitigation plans
- Decision rationales
- Executive accountability (signatures)
- Follow-up actions and monitoring plans

Documentation must be preserved for [10 years / product lifetime] and produced upon regulatory request.

## 5. AUDIT AND INSPECTION

[Agency] may:

- Request documentation at any time
- Conduct on-site inspections
- Interview personnel involved in checkpoints
- Assess quality and completeness of analysis
- Verify implementation of mitigation strategies

## 6. ENFORCEMENT ACTIONS

Failure to comply will result in:

- Warning letter with 90-day remediation period
- Fines: \$[amount] per violation per day
- Product recall or market withdrawal
- Injunction against future violations
- Criminal referral for willful violations

## 7. SAFE HARBOR

Entities demonstrating good faith compliance with this regulation:

- Are presumed to have exercised reasonable care
- Have affirmative defense in private lawsuits



- May qualify for reduced penalties in enforcement actions

## 8. EFFECTIVE DATE

This regulation takes effect [date].

Existing products must be brought into compliance within [180 days].

New products must comply before market entry.

## 9. GUIDANCE DOCUMENTS

[Agency] will publish additional guidance on:

- Checkpoint implementation best practices
- Documentation standards and templates
- Industry-specific considerations
- Small business compliance alternatives

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## TEMPLATE 3: INDUSTRY CERTIFICATION STANDARD

### For Professional Associations / Certification Bodies

#### ETHICAL AI CERTIFICATION STANDARD

Certification: [Name] Ethical AI Development Certification

## 1. CERTIFICATION PURPOSE

This certification verifies that organizations implement systematic stakeholder analysis to prevent harm during AI development.

## 2. ELIGIBILITY

Organizations developing or deploying AI systems that:

- Make decisions affecting individuals
- Process personal data
- Automate human workflows
- Impact stakeholder wellbeing

## 3. CERTIFICATION REQUIREMENTS

Organizations must demonstrate:

### PROCESS IMPLEMENTATION

- Designated checkpoint facilitators (trained)
- Integration into development workflows
- Stakeholder representation mechanisms
- Executive accountability structure
- Documentation systems

### CHECKPOINT COMPLETION

- Evidence of all four checkpoints for sample projects
- Quality documentation meeting standards
- Stakeholder representation in analysis
- Appropriate risk mitigation
- Executive sign-offs on decisions

### ORGANIZATIONAL CULTURE

- Training programs for staff
- Psychological safety to raise concerns
- Authority to delay/cancel based on checkpoints
- Success metrics and monitoring
- Continuous improvement processes

#### 4. CERTIFICATION PROCESS

Step 1: Application and self-assessment

Step 2: Documentation review (sample of 3-5 projects)

Step 3: Interviews with staff and facilitators

Step 4: Stakeholder feedback verification

Step 5: Audit of processes and culture

Step 6: Certification decision

#### 5. MAINTENANCE

Certification valid for [2 years] with:

- Annual checkpoint documentation submission
- Bi-annual process audits
- Ongoing monitoring of public incidents
- Stakeholder complaint review

#### 6. PUBLIC DISCLOSURE

Certified organizations may:

- Use certification mark in marketing

- List on public registry
- Reference in procurement bids
- Display on website and materials

## 7. REVOCATION

Certification may be revoked for:

- Falsified documentation
- Significant harm to stakeholders
- Non-compliance with requirements
- Failure to remediate identified issues

Revocation will be:

- Publicly announced
- Published on registry
- Reported to relevant regulators

## 8. RECERTIFICATION

Following revocation, organizations may apply for recertification after:

- Minimum [1 year] waiting period
- Demonstration of remediation
- Additional auditing and oversight

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### **TEMPLATE 4: INSTITUTIONAL POLICY MANDATE**

**For Corporations / Universities / Nonprofits**

**ORGANIZATIONAL POLICY: STAKEHOLDER HARM PREVENTION**

Policy Number: [XXX]

Effective Date: [Date]

Review Frequency: Annual

Policy Owner: [Title]

## 1. PURPOSE

This policy establishes mandatory stakeholder analysis for [organization name] projects and initiatives that affect external stakeholders or deploy technology systems.

## 2. SCOPE

This policy applies to:

- All technology development projects
- Product launches and major feature releases
- Policy changes affecting stakeholders
- Research that impacts communities
- Partnerships involving data or automation

## 3. REQUIREMENTS

All covered projects must complete four stakeholder analysis checkpoints:

### CHECKPOINT 1 - PROJECT KICKOFF

Before: Development, implementation, or deployment begins

Required: Stakeholder identification, scale analysis, initial risks

Sign-off: Project owner

#### CHECKPOINT 2 - DESIGN APPROVAL

Before: Implementation or development work starts

Required: Incentive analysis, harm mitigation strategies

Sign-off: Technical lead

#### CHECKPOINT 3 - PRE-LAUNCH REVIEW

Before: Launch preparation begins

Required: Testing gaps, stakeholder representation validation

Sign-off: QA or research lead

#### CHECKPOINT 4 - LAUNCH AUTHORIZATION

Before: Public deployment or implementation

Required: Complete stakeholder analysis, net outcome assessment

Sign-off: Executive sponsor

### 4. ROLES AND RESPONSIBILITIES

#### CHECKPOINT FACILITATORS

- Designated staff trained in framework methodology
- Authority to pause projects for analysis
- Not members of project teams (independence)
- Report to [governance body]

#### PROJECT OWNERS

- Ultimately accountable for stakeholder analysis
- Must address identified harms or document risk acceptance
- Cannot proceed without checkpoint completion
- Subject to accountability measures

#### EXECUTIVE SPONSORS

- Must sign off on Checkpoint 4 before launch
- Accept responsibility for stakeholder impacts
- Can be held accountable for ignored warnings

#### 5. DOCUMENTATION

All checkpoints must produce:

- Stakeholder analysis tables
- Risk assessments with ratings
- Mitigation strategies with owners
- Decision rationales
- Executive sign-offs

Documentation must be:

- Stored in [designated system]
- Accessible for audit
- Retained for [duration]

#### 6. MONITORING AND COMPLIANCE

[Governance body] will:

- Track checkpoint completion rates
- Review documentation quality
- Monitor post-launch outcomes
- Report annually to [leadership]

Non-compliance will result in:

- Project suspension until compliance
- Escalation to executive leadership
- Performance impact for responsible parties
- Policy violation consequences per HR

## 7. EXCEPTIONS

Exceptions require:

- Written justification
- [Level] executive approval
- Enhanced documentation of risk acceptance
- Increased post-launch monitoring

## 8. TRAINING

Required training:

- All project owners: 4-hour framework training
- Checkpoint facilitators: 16-hour facilitator certification
- Executive sponsors: 2-hour briefing on accountability

## 9. REVIEW AND UPDATES



This policy will be reviewed annually and updated based on:

- Effectiveness metrics
  - Lessons learned
  - Industry best practices
  - Regulatory changes
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## **TEMPLATE 5: INTERNATIONAL DEVELOPMENT STANDARD**

**For Development Aid Organizations / NGOs / Multilateral Institutions**

### **DEVELOPMENT AID TECHNOLOGY DEPLOYMENT STANDARD**

Standard: Stakeholder Harm Prevention for Technology Interventions

#### **1. STANDARD PURPOSE**

Technology deployed through development aid must undergo systematic stakeholder analysis to prevent harm to vulnerable populations.

#### **2. APPLICABILITY**

This standard applies to:

- Digital identity systems
- Financial technology (mobile money, digital payments)
- Agricultural technology
- Health technology
- Educational technology
- Government service digitization

- Data collection and management systems

### 3. CULTURAL CONTEXT REQUIREMENTS

Standard must be adapted for local context:

- Stakeholder identification includes traditional and modern structures
- Power dynamics reflect local realities
- Consent mechanisms respect cultural norms
- Documentation in appropriate languages
- Local facilitators trained and empowered

### 4. ENHANCED CHECKPOINT REQUIREMENTS

Given vulnerable populations, checkpoints must include:

#### CHECKPOINT 1 - COMMUNITY CONSULTATION

- Extensive stakeholder mapping beyond direct users
- Understanding of power structures and marginalized groups
- Assessment of gender dynamics and impacts
- Analysis of digital divide and exclusion risks
- Free, prior, and informed consent processes

#### CHECKPOINT 2 - CULTURAL ADAPTATION

- Design tested with diverse community members
- Literacy, language, and accessibility considerations
- Infrastructure requirements (connectivity, power, devices)
- Traditional systems integration or displacement analysis

- Economic impacts on existing livelihoods

### CHECKPOINT 3 - INCLUSIVE TESTING

- Testing with marginalized populations specifically
- Gender-disaggregated testing results
- Accessibility testing for disabilities
- Testing under realistic infrastructure conditions
- Community feedback integration

### CHECKPOINT 4 - SUSTAINABILITY AND EXIT

- Long-term community capacity building
- Local ownership and governance
- Exit strategy that doesn't leave harm
- Ongoing monitoring and support commitments
- Mechanisms for community to raise concerns

## 5. STAKEHOLDER PROTECTION

Special protections for:

- Women and girls
- Ethnic and religious minorities
- People with disabilities
- Elderly populations
- Informal workers
- Rural and remote communities
- Refugees and displaced persons

## 6. DOCUMENTATION STANDARDS

Checkpoint documentation must:

- Be accessible to local communities (language, format)
- Include community representatives as co-authors
- Demonstrate genuine consultation, not extraction
- Show how community feedback shaped decisions
- Be shared with communities (transparency)

## 7. ENFORCEMENT

Technology deployments without proper stakeholder analysis:

- Will not receive development aid funding
- Must be remediated before deployment
- May trigger aid suspension for implementing organization
- Require external audit and community redress

## 8. ACCOUNTABILITY

Implementing organizations must:

- Establish community grievance mechanisms
- Conduct post-deployment harm monitoring
- Provide remedy for identified harms
- Report annually on stakeholder impacts
- Face evaluation in future funding decisions

## 9. PARTNERSHIP REQUIREMENTS

Local partners must:

- Participate in checkpoint facilitation
  - Have authority to halt deployment
  - Receive capacity building in framework
  - Lead community engagement
  - Co-own decisions and accountability
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## **IMPLEMENTATION GUIDANCE**

### **Adapting Templates to Your Context**

#### **1. Identify your authority**

- Regulatory: Citation of enabling statute
- Procurement: Contracting authority
- Institutional: Governance structure
- Professional: Certification or licensing power

#### **2. Define scope clearly**

- Which products/services covered
- Thresholds for applicability
- Exceptions if any

#### **3. Specify enforcement**

- Audit mechanisms
- Penalties for non-compliance
- Timeline for remediation
- Escalation procedures

#### **4. Ensure auditability**

- Documentation standards
- Retention requirements

- Production timelines
- Review procedures

#### **5. Build in accountability**

- Sign-off requirements
- Personal responsibility
- Consequences for violations
- Protection for those who raise concerns

### **Legal Review Considerations**

Before implementing these templates:

- Review with legal counsel for your jurisdiction
- Ensure authority is clear and defensible
- Verify enforcement mechanisms are appropriate
- Confirm documentation requirements are achievable
- Check alignment with existing regulations

### **Pilot Program Approach**

Recommended implementation:

1. Start with voluntary pilot (6 months)
2. Mandate for subset of projects/products
3. Evaluate effectiveness and refine
4. Expand to full mandate
5. Monitor and continuously improve

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## **SUPPORT**

**For policy implementation questions:**

Email: [t.gilly@ai-literacy-labs.org](mailto:t.gilly@ai-literacy-labs.org)

**For legal review support:**

Contact for referrals to specialized counsel

**For training materials:**  
Available at [realsafetyai.org](https://realsafetyai.org)

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