

AI Is Changing Criminal Justice. We Need Guardrails Now



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In Florida, we're fortunate to see most hurricanes well before they hit.

That lead time allows us to study the forecast and prepare our homes and businesses for what may come. In the worst cases, it gives us time to evacuate to safer ground.

But some storms develop differently. They build quietly, slipping under the radar until the wind picks up and the rain starts. Suddenly, you're in the middle of it.

In the criminal justice system, the clouds of artificial intelligence have gathered but the skies have not yet opened. The surge of AI may bring destruction, new growth, or both. But even if some choose to ignore it, the storm will come—and in some jurisdictions, it's already here.

As a career prosecutor, I've seen firsthand the early uses of AI in the justice system: AI-assisted briefs, facial recognition tools, enhanced data analysis software, and more. Used responsibly, these AI tools can help make the system fairer and more effective. Used carelessly, they could undermine public trust, violate the rights of innocent people, or worse.

With new products and tools flooding the market, law enforcement, courts, prosecutors, and policymakers must begin preparing now. We need a deliberate and thoughtful approach to adopting AI that protects public safety, privacy, constitutional rights, and the rule of law.

A [new resource](#) from the Council on Criminal Justice [Task Force on Artificial Intelligence](#) offers a roadmap for doing exactly that. I have the privilege of serving on this panel, a national, nonpartisan initiative helping criminal justice agencies use AI effectively and safely.

Our new “user decision framework” is anchored in several common-sense principles. AI systems should be safe, secure, and reliable, and be accompanied by substantial human oversight. AI tools should be regularly tested and validated before they're deployed in real-world situations. And most importantly, AI should assist human judgement—not replace it.

With a [step-by-step guide](#), the framework provides agencies with practical questions they should ask to determine

whether a given technology represents the right choice for their needs—regardless of where they are in the process of considering AI.

Does the agency have the staff and technical expertise to use the system responsibly? Could it create risks to civil liberties or due process? Will it actually improve efficiency or accuracy? Is there a better, non-AI alternative?

For example, an office considering AI transcription software for body-camera footage or a facial recognition system could use the framework to evaluate both the benefits and the risks before deployment. It also provides guidance for oversight and accountability after the technology is put into use.

This matters because the use of AI in criminal justice settings carries both real promise and real danger. At its best, the tools can save taxpayer dollars by reducing administrative burdens, allowing professionals to focus more time on protecting public safety, and delivering swifter outcomes for crime victims.

At its worst, flawed or poorly supervised AI could contribute to wrongful accusations or other serious mistakes that can damage lives and erode confidence in the justice system itself.

The first winds of this technological storm are already sweeping across our justice system. With thoughtful safeguards, strong human oversight, and clear standards for accountability, we can lay a foundation that will help us weather the storm before it reaches full strength.

Melissa Nelson is the elected State Attorney for Florida's Fourth Judicial Circuit—encompassing Duval, Clay, and Nassau counties. She was elected in 2017 and re-elected in both 2021 and 2025 unopposed.

Nelson heads a team of over 300 attorneys, investigators, and staff in the same office where she began her legal career in 1997 as an Assistant State Attorney. Nelson served for 12 years then transitioned to private practice before returning to public service as State Attorney.