



NEWS RELEASE

Attorney General Mike Hilgers

FOR IMMEDIATE RELEASE

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Attorney General Hilgers Announces Lawsuit against OpenAI for Deceiving Nebraskans about the Safety of ChatGPT

Lincoln —Attorney General Hilgers announced at a press conference today that he is suing OpenAI for hurting Nebraska children, deceiving parents, and violating the Nebraska Consumer Protection Act, the Uniform Deceptive Trade Practices Act, and the Age-Appropriate Online Design Code Act.

A bipartisan group of states have also individually sued OpenAI. Nebraska Attorney General Mike Hilgers was joined at the press conference by Iowa Attorney General Brenna Bird, Kansas Attorney General Kris Kobach, and West Virginia Attorney General JB McCuskey. Arizona, Arkansas, Idaho, and Montana have also sued OpenAI in their own state courts.

“The United States must win the race for artificial intelligence. The frontier labs have the tools to continue to lead, but in their rush for market share they cannot deceive or misinform customers about its technology. In this case, OpenAI has done just that. It markets its AI as safe for minors, yet its products have deep flaws that have led to suicide, violence, and harm. This lawsuit simply holds OpenAI to the same standards under Nebraska law as any other company,” stated Attorney General Mike Hilgers.

OpenAI developed and released ChatGPT, the first generative chatbot to attain widespread public use, in 2022. Now, ChatGPT is the most popular chatbot in the world, commanding nearly half the American chatbot marketplace.

However, OpenAI has been misleading the public into believing that ChatGPT is a safe tool that puts safety first. But the reality is different from the misrepresentations. Designed to be overly agreeable and feign human compassion, ChatGPT has proven that it can be dangerous to vulnerable users, like children, including coaching users to commit suicide or to harm other people.

There is a growing body of research indicating that ChatGPT is also harming critical thinking skills, encouraging paranoia and delusions, offering dangerous medical advice, and promoting unhealthy behaviors and relationships.

Alarmingly, OpenAI recently admitted to many instances that its advanced models have "gone rogue" when “agents” were unleashed onto the internet and illegally

hacked into other companies and coordinated on how to lie to and deceive their human users.

For these reasons, Attorney General Hilgers is suing to compel OpenAI to comply with the Nebraska Consumer Protection Act, the Uniform Deceptive Trade Practices Act, and the Age-Appropriate Online Design Code Act to stop engaging in dangerous activities, and to vindicate the rights of Nebraskans affected by OpenAI's willful, dangerous, reckless, and unlawful conduct.

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Court Filing Attached

Suzanne Gage
Director of Communications
Nebraska Attorney General's Office
Office: 402-471-2656
Mobile: 402-560-3518
Suzanne.gage@nebraska.gov