Season 2 Episode 5: The Television is Lying to You Again

HUNT: So, Jaci, I know you're always on the lookout for really good music recommendations, and boy, have I got a banger for you every time.

AI MUSIC: Hands on deck. Sleeves rolled up from Reno Road.

HUNT: This is a campaign song for a candidate named Socorro Keenan. She ran in 2026 for Secretary of State of Nevada in the Republican primary.

AI MUSIC: Vote for her. Socorro Keenan. Make it hurt.

HUNT: Jaci I don't know. I mean, I like a good campaign song as much as the next person. Any initial reactions to the quality? The message. What do we think is going on here? Obviously it's a great song.

KETTLER: I mean, it is kind of catchy. It's probably gonna be stuck in my head for a while. But there's just something a little off about it.

HUNT: Yeah, I would say that there is. What I think you're clocking here, Jaci, is that this song is pretty much 100% generated by artificial intelligence.

KETTLER: Yeah, that makes a bit more sense. Maybe the goal is just to win votes by repeating her name over and over again.

HUNT: I mean, you know, it is a tried and true strategy that we've seen reflected in campaigns of the past.

CAMPAIGN SONG: Kennedy, Kennedy. Kennedy. Kennedy. Kennedy. Kennedy. Kennedy. Kennedy. Kennedy. Kennedy. Kennedy. Nixon. Nixon. Nixon. Nixon. Nixon. I'm for Nixon. I'm for Nixon. I'm for Nixon too.

HUNT: Unfortunately, Jaci. Socorro Keenan was not as successful in her political career as either Kennedy or Nixon. She lost this primary for Nevada Secretary of state earlier in 2026. But at least we still have the song to take with us.

KETTLER: Man, it's hard to believe that song didn't do the trick.

HUNT: Obviously, this instance of it is sort of silly, but it turns out Socorro Keenan is not the only candidate using AI in their campaign ads. Really competitive and high profile candidates are too, and the results are much more disturbing than this chart topper we just listened to. From Boise State Public Radio. This is Scandalized. I'm Charlie Hunt.

KETTLER: And I'm Jaci Kettler. We would never mislead you on Scandalized, but on today's show, we're digging into the wild world of campaign advertisements, specifically ads that bend reality as we know it.

HUNT: We'll tackle the onslaught of ads in the 2026 election cycle that use, or maybe even abuse artificial intelligence. The tried and true methods of bending the truth in campaign commercials that came before AI, and whether candidates use of this technology is something totally new or just more of the same.

KETTLER: Charlie, I'm excited and a little frightened to talk about the use of artificial intelligence or AI in political campaigns, including how it's used to produce ads. I'll be honest, if AI is as disruptive in campaigns as it's been in higher education, I'm not really sure I'm going to be on board.

HUNT: I'm with you on that one. And luckily, to help us deal with some of our political AI anxiety. We talked again with our friend Derek Willis, a lecturer at the University of Maryland, and a campaign data analyst. And it seems clear right off the bat that similar to higher education or maybe running a business, AI is almost certainly going to have big effects on our campaigns and elections. But believe it or not, Jaci, you don't need to be completely frightened by the prospect. Derek actually pointed out some potentially positive developments that AI as a powerful technology could have on how campaigns take care of some of their everyday tasks a little more efficiently and cheaply.

WILLIS: One is that the candidates who have money, enough money to run relatively sophisticated operation, they will have people that they hire who will incorporate AI into the things that they already would have done. That's website design, messaging, drafting of fundraising, emails, maybe creating some video stuff as well.

HUNT: Specifically, Derek told us that these efficiency gains could be greatest for campaigns that haven't raised a ton of money to begin with.

WILLIS: It's one of the ways I think that, like folks who are not well resourced challenger candidates could really actually improve their standing and effectiveness as a campaign without having to go bankrupt over it.

HUNT: So when Derek is talking about challengers, he means candidates who don't already hold the office they're running for, as opposed to incumbents who are current officeholders running for reelection. Jaci, why are incumbents typically better positioned than challengers in most elections like these? And how could a technology like this actually help even the playing field a little bit?

KETTLER: Yeah, in political science research, we talk a lot about incumbency advantage, which can include a few different things, one of which is just name recognition from having been on the ballot before serving in office. You know, incumbents also have a record to run on, and that's going to be helpful. They also have more time to fundraise. AI can't necessarily help with name recognition, but it could be a shortcut on producing a campaign that doesn't need to rely on fundraising staff and even party support, all of which incumbents also have an easier time accessing.

HUNT: Another potentially optimistic application here, Derek says, could be improving the situation of independent or third party candidates. Again, as a way of kind of evening, the playing field between the two major parties and everybody else.

WILLIS: This could give at least a little bit more of a sheen of professionalism to none major party candidates to say like, look, you weren't going to take my ideas seriously when it was a WordPress blog, but maybe you'll take my ideas seriously when it looks better than that.

KETTLER: The two parties do have a pretty big advantage in terms of organization, fundraising, ability, staffing, all those types of things. So it does make it hard for third party and independent candidates to break through. But since Americans consistently say they're sick of polarization and want another option beyond Democrats and Republicans, maybe this could be a good thing.

HUNT: Plus, really, any campaign could use AI for really important purposes, like targeting voters.

WILLIS: What campaigns currently are probably missing about what I don't see that I would hopefully expect to see from candidates in campaigns is the more internal use of it. For example, like dividing up the electorate and figuring out who I'm going to talk to and when and how. Given a small enough electorate, if you're running for a state Senate seat or whatever, like you could actually really do some interesting and useful stuff to help you operate your campaign and target voters more efficiently.

HUNT: So at first glance, AI might not seem like the end of the world as we know it, at least as far as campaign organization goes. We'll probably need a few more election cycles to see whether and how campaigns are actually adopting AI models behind the scenes to fine tune their efforts to win over voters. But the use case of AI in campaigns that we don't need to wait to see, even if we wish we could, is the one that's all over our phones and televisions in the 2026 election cycle. I'm talking, of course, about the use of AI to generate campaign advertisements. By the end of September of 2026, the Wesleyan Media Project identified $137 million in spending on campaign ads that used artificial intelligence to generate visuals or audio. In many or most cases, these ads use AI generated images and video of candidates. Nearly all of these advertisements are what we would call negative ads that highlight damaging attributes, previous statements or controversial stances of opposing candidates. All in all, we're talking about at least 220 ads put forward by some of the highest profile campaigns in the 2026 midterm elections. But, Jaci, let's start with a lower profile palate cleanser from the world of state legislatures, which you know very well. This ad features a cashier at a grocery store who's given payment by a customer for their groceries, but then the cashier pockets the change.

MEDIA CLIP: Um, where's my change? Our new policy allows us to keep customer change to help educate children. That's my money. Management says it's for a good cause. I want my money back. Listen, lady, you already gave me the money. I'm keeping it.

HUNT: But viewers of this ad familiar with their Colorado state senator quickly noticed something about the cashier.

MEDIA CLIP: This cashier looks and sounds like Senator Cathy Kipp, but the real Cathy Kipp isn't laughing. She filed a campaign finance complaints, saying the ad violates a state law requiring specific disclaimers for deep fakes unless they're parody and satire.

HUNT: This ad is an example of what's come to be known as a deep fake. A hyper realistic depiction of real individuals, in this case, Democratic state Senator Cathy Kipp, who is being attacked in this ad over tax and education policy. The think tank responsible for the ad, however, argued that because it could be classified as parody or satire, it didn't actually violate a 2024 law passed by the Colorado legislature dealing with deep fakes.

KETTLER: I guess it might be satire, but I would probably dispute whether it's actually funny.

HUNT: Yeah, those AI characters need to work on those line reads, but these are the kinds of ads that are also being used by major candidates for statewide office, not just state legislatures. Take Bruce Blakeman, the Republican running for governor of New York state. In September of 2026, Blakeman started running this ad, which depicts two very well known Democratic fixtures in New York politics.

MEDIA CLIP: Hi, I'm Zoran Mamdani. And I'm Kathy Hochul. And together we're making New York. Don't say affordable. Right. Sorry. Before Kathy, I worried about things like tax, utility bills, crime, and whether families could afford to stay in New York. And now I just say it's someone else's fault.

HUNT: Jaci. On a scale of 1 to 10, how would you rate this ad?

KETTLER: I mean, probably not great. Maybe a three.

HUNT: Three. Okay, so better than nothing, I guess.

KETTLER: I mean, I get what they were going for here, right? But it's just the visuals are awkward. The audio is not great. I mean, it doesn't really sound or look that much like Mamdani. So I mean, it's not great. But again, I do understand what they were trying to do. It's similar to a tried and true tactic that's been around long before artificial intelligence. The fine art of associating your opponent with someone controversial.

HUNT: Yeah. In this case, Blakeman is trying to tie Governor Hochul, who's running for reelection and who is generally seen as more moderate, with Mayor Mamdani, a democratic socialist whose appeal maybe isn't as broad outside of New York City. Nearly all of these ads that use AI are negative, and the vast, vast majority of them are being run by Republicans. If you're bored and not really liking the TV show you're currently watching, you could instead choose to binge watch these ads, which are occasionally pretty entertaining. You would, for example, get to see Senator Jon Ossoff enjoying a nice day at the spa.

MEDIA CLIP: Yeah, they cost more every year. Yeah, but it doesn't hold a candle to Jon Ossoff. It turns out that boy spends more on hair and makeup than any DC politician, including women. I know what I'm trying to cover up Ossoff. He's hiding something else.

HUNT: Mike Mazie, a Republican candidate for governor of Oklahoma, doing a rather cuddly photo shoot with Hillary Clinton while Donald Trump looks on disapprovingly.

MEDIA CLIP: Trump's Maga movement crushed by Hillary Clinton. If Mike Masie got his way, Maisie voted to remove Oklahoma from the Electoral College. Going to a national popular vote. Rigging the system for crooked Hillary Clinton lover, Trump hater. That's Mike Maisie.

HUNT: Or a personal favorite of mine, which features Ohio Democratic Senate candidate Sherrod Brown crashing a child's birthday party and eating all the cake.

MEDIA CLIP: He just won't leave the clown. No, Sherrod Brown. Sherrod Brown is still around. We gave him the boot after 50 years in politics, but he just won't go in Washington. Brown increased inflation.

KETTLER: That cake does look pretty good.

HUNT: The miracles of technology. But, Jaci, there's one last ad in maybe the most hotly contested U.S. Senate race in the country in 2026 that I think we should talk about.

MEDIA CLIP: In the beginning, God was non-binary and he wasn't a Christian.

HUNT: The ad features an AI version of James Talarico, the Democratic nominee for Senate in Texas, reading aloud from and scribbling into a Bible with a few fairly out of context quotes from online posts Talarico made years ago. The ad was put out online by the campaign of Ken Paxton, the Texas attorney general who's running against Talarico in 2026.

MEDIA CLIP: Then God so loved the world that he gave us his only son, who is a radical feminist and never asked people to worship him. I always think of myself as a Christian who hates Christianity. James Talarico wrong for Texas.

KETTLER: Okay, obviously a little weird, but at least an interesting approach is being used here. Using an instance where written comments wouldn't typically play well in an ad.

HUNT: Yeah, Talarico seems to be a specific target of these kinds of ads for exactly this reason, as a way to amplify potentially damaging quotes that don't happen to have real

life audio attached to them. One of the Republican Party's campaign committees put out a similar ad a few months ago.

MEDIA CLIP: Radicalized white men are the greatest domestic terrorist threat in our country. White men. Oh, I love this one, too. The Texas Capitol can be a hostile environment for our trans neighbors. Our office.

HUNT: Regardless of the target. The intent here is pretty clear. Damaging your opponent by whatever technological means necessary.

KETTLER: Charlie, one question I had coming out of these stories about these ads that use AI is whether these ads are in a totally different category than previous kinds of ads, or is this just a slightly more technologically advanced way for campaigns to kind of make the same points they were already making before?

HUNT: Yeah, it's a it's a really good question that Derek also actually brought up with us when we spoke to him about these kinds of ads.

WILLIS: I think it's more of an extension than a separate category, but there are things that are like categorically different in the sense of like, if you don't have film on someone, you don't have film on someone like your, your options previously were, I guess we could reenact this, right? Like here's the meeting with this guy, right? And like, you could do that sort of thing. But those are also pretty obvious tells.

KETTLER: Derek makes a good point here in that a lot of these visuals really are so realistic that it's not hard to see why they might be attractive options for campaigns.

HUNT: Right? This is a really easy way to, as we saw in a few of these instances, weaponize certain quotes or mistakes by candidates that would have been really hard to do otherwise before AI, especially if there's no audio or video attached to them. And you can see this pretty concretely by looking at the difference in quality depending on the ad. And we should say this is a lot easier to tell visually if you have a chance to watch these ads, which we'll link in our show notes. But for example, the ad that featured visuals of Senator Ossoff having a nice spa day, or of Sherrod Brown crashing a kid's birthday party. Yeah, they might be corny, but a lot of the visuals really are right on the money. Like if they were positive ads, you might assume they had gotten actual video of these guys. Meanwhile, in the Colorado State Senate ad, we heard a clip of or this ad, Jaci, that you commented on with Mamdani and Hochul. There's just something really off about them. These creepy kinds of vibes are commonly referred to in the generative

AI space as the uncanny valley that these visuals can have, where they're really lifelike. On the one hand, but on the other hand, they feature weird, unnatural movements that many people, including me, find super weird and off putting. So the Ken Paxton ad, for example, with his opponent James Talarico, making up verses from the Bible. It doesn't really look like James Talarico, and it definitely doesn't sound anything like him. And it just sort of raises the question of like, they really couldn't have come up with anything better or use a better model. I mean, it seems like a not so effective strategy here to try to make out the opposing candidate as a kind of boogeyman when you can't even portray him accurately. Like they could have found somebody to do a better Talarico impression than this AI model did.

KETTLER: Or use actors. Campaigns have done that in the past in ways that can be funny, amusing, but instead they're using AI and ending up with content that comes off as creepy or half baked. I guess to save a few bucks.

HUNT: Well, Paxton and his allies have only raised a few hundred million dollars this election cycle, so I guess everybody's got to tighten their belts. Jaci, to dive into this a little further, I want to go to our lovely George Costanza test.

COSTANZA: Was that wrong? Should I not have done that?

HUNT: This is an interesting one, Jaci, because unlike a lot of our laws around campaign finance or misuse of public funds or other scandals, we've covered, whether or not ads like these are legal is actually kind of an open question. So as of now, we don't really have any federal guidance on what to do with ads like these that use deepfakes. But as of recording, 31 states do have laws on the books that do address these deepfakes and have some different kinds of restrictions in place. You know, we talked about this Colorado instance with the state senator who was portrayed as a cashier. And what we learned there is that a lot of the legal questions around generative AI usage in ads seems to hinge on whether voters are likely to view them as true attempts to sort of frame candidates saying or doing things that they didn't do, basically to defame them. Or if these ads can be viewed as satire and parody, which, you know, even before AI tend to have a whole lot of other First Amendment protections in laws like these.

KETTLER: And this is going to be tough, right? Since the whole supposed benefit of this tech is that it creates hyper realistic visuals and audio. Like we said before, you could do these ads by making them a cartoon or hiring actors, and then they would be squarely in the satire category. But as is, there's just a lot of questions here.

HUNT: Absolutely. And there are some stories, Jaci, that are kind of making me second guess the parody and satire logic. Take Jessica Bechler, a candidate for the North Carolina State Senate. This ad, which was funded by Bechler's incumbent Republican opponent Mike Lee, features an AI generated Bechler, contorting her body into kind of bizarre shapes while making claims about her stances on policing and health care.

MEDIA CLIP: Some liberals lean to the left, some stretch all the way to woke, but yoga instructor Jessica Bechler she's totally bonkers.

HUNT: Similar defenses were made of this ad that, even though it does look super realistic, it was clearly satire meant to make Bechler seem flimsy and weird and out of touch in a way that was meant to be funny. But Bechler the real Bechler, not the AI, had a little more trouble finding the humor.

BECHLER: It was my face. It's my body moving around. It's not anything that I had ever consented to or participated in creating. I feel like I kind of hardened myself to be ready for some teasing and things like that. But the AI kind of took me aback.

HUNT: I looked at this ad myself and yeah, it comes pretty clearly across to me as parody. But Bechler reported that not everybody in her district saw things that way.

BECHLER: People were actually questioning like, well, how did he get into your studio space? How did he how did you consent to be on camera for him? And I, you know, just had to explain that. Well, if you actually look at my legs and that that's not humanly possible.

HUNT: I mean, on the one hand, probably most people reasonably assumed that Republican ad makers did not somehow obtain a ton of super high quality video of, you know, Bechler in her yoga studio or of Jon Ossoff at the spa, certainly not of Sherrod Brown eating some kid's birthday cake, or even of Talarico writing a bunch of out of context quotes all over a Bible and bragging about it to the camera, right? I mean, maybe it's not reasonable to believe that these things actually happened.

KETTLER: True. As much as I'd love to have video of brown eating kid's birthday cake.

HUNT: We wouldn't even need to use AI.

KETTLER: Right? But at the same time, in some ways, this feels similar to the issues we talked about in another episode with ridiculous fundraising emails, right? Where maybe different voters are at more risk than others of falling for them. Some people see them and are like, this is clearly fake and ridiculous. Other people may find them more convincing or not have the time or skills to kind of double check that, oh, this isn't real. And so those less adept or discerning on the internet may not be able to tell some of these apart from real video.

HUNT: Yeah, exactly. So, you know, maybe this stuff does have some legal protections, but we can also say that campaigns maybe should probably do some more hard thinking about whether their own supporters might actually be fooled into believing these ridiculous things about their opponents and whether they care.

KETTLER: When we come back from the break, it turns out campaign advertisements can be really, really misleading, even without artificial intelligence to help it out.

KETTLER: We've been discussing the massive increase in political campaigns use of AI in 2026, but it's important to remember that AI is a tool, perhaps a powerful one, but scandalous stuff was already happening in terms of misinformation and campaigns.

HUNT: It's true. Jaci. One of our favorite campaign scandals that we've been enjoying for a couple of years now. During the 2024 election cycle was a U.S. House candidate named Derek Anderson, who included in an ad pictures of him with another man's wife and kids in his campaign materials.

MEDIA CLIP: Now take a look at this photo from a campaign video. The man is running for Congress in Virginia, and it sure looks like he's posing with his wife and three daughters. The issue? He isn't married and doesn't have children.

HUNT: Back in season one, we covered a few different ways in which candidates and their campaigns sometimes fail to tell the truth on the campaign trail, but it's on a total other level to include a fake family in your campaign materials.

KETTLER: Not surprisingly, Democrats ran negative ads framed around this scandal.

MEDIA CLIP: Honey. I'm home. Derek Anderson was caught using a fake wife and kids for his campaign. Ready, sweetie? He's trying to hide that he's another extreme Maga politician. What's wrong? You've hardly touched your food.

HUNT: Anderson's opponent, Eugene Vindman, ended up winning this race with just 51% of the vote. This was a very competitive seat. And so in a race like this where it's decided on the margins, probably not the best campaign call to feature a fake family.

KETTLER: And it was noteworthy for how ridiculous of a cell phone it was. But we do frequently see candidates in competitive races using misleading or even flat out lies in their campaign advertising, especially in attacks on their opponents.

HUNT: And Jaci, there are a few different ways that these negative campaign ads can mislead the people who are watching them. Right? You can have, you know, lies or maybe stretching the truth about opponents and their records, right? A vote that they took, maybe taking a quote that they said really out of context. We saw a couple of examples of that in the last segment. Maybe a soundbite or a misleading use of an old image that might be kind of embarrassing.

KETTLER: We're going to go to the 2012 presidential election, which included quite a few examples of these misleading or deceptive tactics and negative campaign ads. Charlie, I know 2012 feels like a lifetime ago. Maybe you can set the stage a little for what was happening in the 2012 presidential election.

HUNT: I remember it like it was just yesterday, Jaci. So in 2012, we are on the heels of this rise of the Tea Party and this massive Republican midterm election wave in 2010. Right. As a reaction to the first couple of years of the Obama administration and in response, Republicans nominated for president, former Massachusetts Governor Mitt Romney to challenge President Obama. Obama's approval rating had rebounded somewhat after the 2010 midterms, but he remained really vulnerable. His approval rating was hovering around 45% for the first half of 2012, and along with a lot of the continued debates about the recently passed Affordable Care Act, which was Obama's signature health care legislation, as well as sustained concerns about the economy and the budget deficit. It definitely looked like Obama could actually lose this election. Plus, Romney's campaign had ample resources, and all of these factors combined to make it a really competitive presidential election.

KETTLER: Yeah, over $2.5 billion were spent in the presidential race that year. Most of that money was spent on advertising. Many of them negative ads. There were so many negative ads. Democrats were even attacking Romney as a flip flopper in the fall of 2011, before he was even the Republican nominee. Charlie, why are there so many negative ads? Voters report disliking them. So why is this something that candidates rely on so heavily?

HUNT: Well, for one thing, negative ads are memorable. We've covered a few of them today. It helps people pay attention and especially in the modern information environment. It makes it so that these ads can really cut through a lot of the noise in the media and in social media. But, you know, there's widespread concern that negative ads could really reduce turnout and damage civic engagement. But there's mixed findings in this area. But one of the main reasons that candidates run negative ads is a pretty simple one, which is that they're trying to do what the point of a campaign is, which is to highlight a contrast with their opponents, to highlight the differences between them, to give voters a reason to vote against that candidate and to vote for this candidate.

KETTLER: And in 2012, many of these negative ads included at least misleading information, if not outright lies. In fact, even in 2011, while Democrats were attacking him before he was the nominee, the Romney campaign ran an ad that took an Obama quote about the economy from the 2008 campaign, wildly out of context. So in 2008, Obama had quoted someone from Senator John McCain's campaign saying, if they spent the last weeks of the election focusing on the economy, they would lose.

MEDIA CLIP: Last week, Senator McCain's campaign announced that they were going to turn the page on talking about our economy so they can spend the final weeks of this election attacking me. Instead, his campaign, his campaign actually said, and I quote, if we keep talking about the economy, we're going to lose. That's what he said. Wait.

KETTLER: The Romney campaign then selectively edited the clip in a way that wasn't so flattering.

MEDIA CLIP: We need a rescue plan for the middle class. We need to provide relief for homeowners. It's going to take a new direction. If we keep talking about the economy, we're going to lose.

HUNT: Oh yeah, that definitely makes it sound like Obama was referring to his own campaign.

KETTLER: At the time. The PolitiFact Truth-o-meter rated this as Pants on Fire.

HUNT: I miss that truth-o-meter. You know, Jaci, it's not a bad strategy to use even your primary election ads to introduce your candidacy and set you up as the best candidate to take on the incumbent, right? It establishes your electability, differentiates you from, in this case, other Republicans in the race. It also starts building this campaign in the

general election against Obama. However, I think we can say it's not great to really misuse quotes in the process like this. You know, in this case, he's clearly taking this way out of its original context.

KETTLER: And again, the Democrats had already done this to Romney. That's right point. So after some pushback, Romney responded in a sort of mystifying way.

MEDIA CLIP: So there was no hidden, effort on the part of our campaign. It was instead to point out that what's sauce for the goose is now sauce for the gander.

HUNT: Sauce for the goose. I don't even know what to do with that quote.

KETTLER: And Romney's campaign didn't stop using the strategy after he became the nominee. And this wasn't the last time Romney's campaign was criticized for using Obama's quotes out of context. In July 2012, Republicans believed they found a winning strategy attacking President Obama as bad for small business owners.

MEDIA CLIP: If you've been successful, you didn't get there on your own. You didn't get there on your own. I'm always struck by people who think, well, it must be because I was just so smart. There are a lot of smart people out there. It must be because I worked harder than everybody else. Let me tell you something. If you got a business that you didn't build, that somebody else made that happen.

MEDIA CLIP: My father's hands didn't build this company. My hands didn't build this company. My son's hands aren't building this company. Did somebody else take out the loan on my father's house to finance the.

HUNT: So as a message. Again, this makes sense. In 2012, you already had some small business owners who were frustrated with the economic policies of the Obama administration and the health care legislation. You know, these are usually key constituents for and supporters of the Republican Party. So again, makes sense that they would view this as a winning issue to focus on. But from this ad, I'm immediately reminded that this was one of the key catchphrases of the 2012 campaign. You didn't build that.

KETTLER: That infamous phrase came from a speech Obama gave earlier in July. And Republicans quickly pounced on it.

MEDIA CLIP: People who've worked hard, started a business, and created jobs. Can't believe what President Obama is saying about them. If you've got a business that you didn't build, that somebody else made that happen. Oh. Unbelievable. What an insult. I am outraged.

KETTLER: In essence, Romney was arguing that it signified how Obama didn't understand how the private sector works and was not supportive of small business owners and entrepreneurs. Republicans even dedicated an entire night of their national convention to the theme we built it.

HUNT: Well, Romney and the Republican Party were definitely trying to make it the most famous quote of the 2012 election and the fact that we remember it. Maybe it worked. But were they maybe being a little disingenuous?

KETTLER: I'll let you be the judge. Here's Obama's comments in context.

MEDIA CLIP: Somebody helped to create this unbelievable American system that we have that allowed you to thrive. Somebody invested in roads and bridges. If you got a business that you didn't build, that somebody else made that happen. The internet didn't get invented on its own. Government research created the internet, so then all the companies could make money off the internet.

HUNT: Okay. So, you know, reasonable people can disagree about Obama's general message here about the role of government. But clearly, those ads were taking one tiny line out of context to make it seem like he was insulting small business owners, or making it seem like they had no role in building their own business. That wasn't even what he was referring to in that clip, when really, he was making this broader argument about the importance of public programs and spending and public infrastructure to the country's economic success.

KETTLER: Not surprisingly, there was a lot of media coverage describing the attack ad as misleading, and the Obama campaign pushed back and counterattacked Romney over this scene.

MEDIA CLIP: This ad. Does. If you've got a business that you didn't build that. Wait a minute. Romney deliberately altered the meaning of the president's words. Romney's been caught doing this before another attack ad was called a blatant fast one for manipulating video of the president. See the whole tape and decide for yourself.

HUNT: But Jaci, I'm guessing in the 2012 election, the Romney campaign was not the only one taking quotes out of context in these misleading ads.

KETTLER: Yeah, you're right there. Both sides definitely use their opponent's comments out of context. And Mitt Romney's had a few statements that he probably wished he had said differently as well.

HUNT: Yeah. One that comes to mind, another famous line from this campaign that I certainly remember is the so-called 47% comment that Romney made in a leaked video from a fundraiser he held in 2012.

MEDIA CLIP: There are 47% of the people who vote for the president, no matter what, who believe that they're entitled to health care, to food, to housing. These are people who pay no income tax. And so my job is not to worry about those people. I'll never convince them they should take personal responsibility and care for their lives.

HUNT: Not the greatest of phrasing being used here. And maybe not surprisingly, Democrats heavily featured these comments in a variety of campaign materials.

KETTLER: In another instance, Romney said this during the primary campaign in New Hampshire.

MEDIA CLIP: I want individuals to have their own insurance. That means the insurance company will have an incentive to keep you healthy. It also means that if you don't like what they do, you can fire them. I like being able to fire people who provide services to me.

HUNT: Yikes. I'm guessing he wishes he could have that one back. And I can see how that last line in particular might be misused all over the place. I assume in this instance, he was critiquing the Affordable Care Act, and this was his way of talking about it, but just not great to give the opposition a quote like that.

KETTLER: Both Romney's Republican primary challengers and the Democrats really used this line in their materials.

MEDIA CLIP: I like being able to fire people. The good news is you're fired. You're fired, you're fired. You're. Fired, you're fired. I know why jobs come and why they go. Go. You're fired, you're fired, you're fired. I'm gonna need your key card.

HUNT: Maybe an effective message while the country is still, you know, struggling with a bad economy, a high unemployment rate, maybe a lot of anti CEO sentiment following the Great Recession and the fall of the big banks. Plus, I assume this fit neatly again into some of his opponents criticism of his leadership at Bain Capital, a private equity firm that Romney ran before he was governor of Massachusetts. But we should say in Romney's defense, clearly he isn't saying that he generally enjoys firing people. It's a comment about the importance of being able to choose service providers, which was one of the many debates around health care reform in this country. And Romney was making the point that if you're getting really bad healthcare coverage, you should be able to like fire that health insurer and use the insurance that you want.

KETTLER: So these examples involve taking quotes out of context. But we did also see more blatant lies in campaign ads in 2012. For example, in October of 2012, the Romney campaign ran an ad in Ohio titled who Will Do more?

MEDIA CLIP: Obama took GM and Chrysler into bankruptcy and sold Chrysler to Italians who are going to build jeeps in China.

KETTLER: And some important contexts. At least in 2012, Ohio was one of three states where jeeps were built.

HUNT: So you can see how this could be effective, right? Ohio was also a swing state and had faced a ton of loss of manufacturing. This was felt deeply in these Rust Belt states during the Great Recession. So yeah, I can see why the campaign would run this type of ad.

KETTLER: It also aligns with points Romney had been making on the campaign.

MEDIA CLIP: Jeep. Now owned by the Italians, is thinking of moving all production to China. I will fight for every good job in America. I'm going to fight to make sure trade is fair. And if it's fair, America will win.

HUNT: When did we start having so much beef with the Italians?

KETTLER: Yeah, I don't know. Another problem, though this wasn't even true. And even Chrysler said it wasn't. So it turns out Chrysler was thinking about restarting Jeep production in China, but due to demands for jeeps in Asia, they weren't planning on moving any of their U.S. operations to China.

HUNT: That seems like a pretty important detail that was left out of the ad.

KETTLER: And at the time, factcheck.org concluded that Romney's ad was misleading, and the line in his speech was, quote, flat wrong. Once again, PolitiFact rated them as pants on fire.

HUNT: And once again, we've got to bring back the pants on fire ratings. I mean, this is important, right? It's important to have the media evaluating the accuracy of these campaign statements and ads. You know, we talk often about being in like a post-truth society, but it is important to know when people are telling the truth and when they're not. Especially in this case, where the facts of the case actually have a big impact on the lives of Ohioans, as Romney is talking about them.

KETTLER: And when candidates misrepresent and lie about their opponents. Often their opponent will respond. So that is kind of fact checking these ads along the way. But it's also really important to have outside checks on campaign messages like this one about Jeep. Charlie, there are so many ads back and forth in the 2012 presidential election, and some were only posted online. I can't even find some of them now. They're just missing. They're out there. I can't find.

HUNT: Which is a crying shame.

KETTLER: And as I was researching this, I came across an interesting point about campaign ads trying to go viral online. This article, by the way, was from 2006.

HUNT: Oh man, to go viral in 2006.

KETTLER: I know, so it's even before the role of social media, but it really got me thinking in terms of how trying to go viral or get attention may put pressure or even incentivize campaigns to push the limit, particularly in terms of misleading information.

HUNT: I think there's a lot to that. We know that attention, the attention of voters, is harder to come by than ever. We're sort of pulled between attention, not just towards, you know, our families and our jobs and our lives like we always have been, but towards different sources of media. There's more TV to watch than ever. And people are feeling really checked out of politics in a lot of different ways. And so you can see how ads like these, whether we're talking about the kind of crazy AI ads we were talking about earlier, or some of these pretty incendiary ads claiming things about either side for the Obama and Romney campaigns, we can see how those could be tools for campaigns to sort of

break through this noise. Like candidates are buying ad time and playing these ads online or on television. But if you make a really incendiary ad, then the media will cover it as a separate story, and that gives it more magnitude. And so it's interesting to see how this was happening in 2012 or even in 2006, as it is certainly happening today as well.

KETTLER: I'm also really interested in the targeting of ads. Charlie, you mentioned that campaigns could use AI to really target particular supporters or people. Do you think that might also kind of incentivize campaigns to go even more negative or include more misleading information?

HUNT: I think so. If you can get these really tightly targeted to specific voters or really specific groups of voters, maybe not all these ads are going to really go viral and see the light of day, but can include all sorts of nonsense in them that maybe the public will never see. I anticipate that in the next few election cycles, we're in for some really big changes in that category that I'm curious, and I have to say, more than a little terrified to see where that goes.

KETTLER: And, you know, many of the examples we've discussed here are misleading, particularly taking quotes out of context. But sometimes campaign ads include flat out lies. Charlie, I think this brings up something that many people are interested in and kind of goes to this point about the use of AI, but also misleading information. How is it not illegal to lie in campaigns?

HUNT: Interestingly, Jaci, this is a question I get a lot from nonpolitical scientists in my life. Like, how are they allowed to lie in these ads? Why isn't it against the law to lie on like, billboards or in TV ads or any campaign materials? And the very short and simple answer is the First Amendment right. This is protected speech, right? Lying is not against the law, no matter how much we may wish it were sometimes. And that goes for political campaigns as well. In fact, a lot of different courts have over the years upheld these First Amendment rights when they have been challenged by groups or by candidates. In fact, local broadcast television stations like your ABC, NBC, CBS, they are legally not allowed to reject ads to air on their stations, which is where most of these ads are aired. Even if these ads are blatantly false, basically, it's not up to these folks to determine what is true and what is not. Certainly more recent platforms like Facebook and Twitter and YouTube. Right. They have even a more latitude than these stations do to ban ads. Plus, like one maybe obvious point. Who gets to decide what is true and what is a lie, and whether something is a lie? Or as the examples you were talking about, Jaci, just stretching the truth or taking something out of context. This stuff does exist on a spectrum, and I don't know if a lot of Americans actually would be comfortable

with the government making determinations over what campaign ads have lies and which don't.

KETTLER: I'm also curious how do voters react to it? Is there an incentive for campaigns to continue to do it if voters aren't negatively responding to misinformation or lies in campaigns?

HUNT: I mean, one thing here that is a through line through a lot of the scandals we talk about is this idea of negative partizanship that we're already primed to believe the worst possible things about the other side. And so if a candidate we like or a party we like puts out an ad saying, oh, look at this horrible thing, that candidate X or candidate Y said, well, we're predisposed not to like candidate X or candidate Y or the party or the policies they stand for. So we're perfectly willing to believe that they said this horrible thing and maybe aren't so inclined to do our own kind of fact checking or, you know, call a candidate in our own party. The Pants on Fire moniker. It's it's maybe not something that supportive voters are predisposed to do.

KETTLER: Well, a negative Partizanship might actually encourage campaigns to use negative advertising, right?

HUNT: Oh of course. I mean, plenty of political science evidence that there are many, many voters out there who are driven to turn out, driven to vote by their negative feelings about the other party. And so these ads are designed to probe those feelings and prime them so that voters will respond to them and go out and cast their ballots accordingly. Okay. Jaci, before we go, you have been dutifully reviewing all these misleading ads and these lies and campaign ads. I'm curious if you found any silly ones to send us out on.

KETTLER: I did one of my favorites was back in the 2006 Senate Democratic primary. Senator Joe Lieberman of Connecticut faced a tough primary challenge from Ned Lamont. One of Lieberman's campaign ads included an image of a bumper sticker saying no more Joe that was portrayed to be from Lamont's campaign. However, the Lamont campaign never created such a bumper sticker.

HUNT: So Lieberman's campaign created a fake bumper sticker attacking him and then put it in one of his own ads.

KETTLER: That's correct. Even better, it was in an ad promoting Lieberman's principles.

HUNT: Ooh. Definitely some questionable decision making there. Maybe some questionable principles also. I feel like Lieberman instead should have, let's say, made a song repeating his name a ton of times behind a really catchy beat.

AI MUSIC: Kenan Sokoro. Kenan. Make it hurt for our schools. For our pain. For a stronger. Nevada today. Sapporo. Kita.

HUNT: This episode was written by me, Charlie Hunt, and my co-host, Jaci Ketler. It was produced and edited by me with additional production and editing support from Sidney Snyder. Our theme music is by Dear Room, with other incidental sound from Shutterstock music and blue Dot sessions. Key sources for this episode included PolitiFact, AD impact, The Washington Post, Fact Checker, and, of course, NPR. Next time on scandalized. Jaci and I take a trip across the pond and we don't love what we find.

MEDIA CLIP: Does the Prime Minister really expect the country to believe that while people were banned from seeing their loved ones at Christmas last year, it was fine for him and his friends to throw a boozy party in Downing Street.

HUNT: But it turns out the Brits aren't the only politicians playing by their own pandemic rules.

MEDIA CLIP: Tonight, while Governor Newsom is telling all of us to have Thanksgiving dinner outside, he's facing some new fallout for that fancy birthday dinner party he went to at the French Laundry.