SWASC Social Work Advocates for Social Change

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TESTIMONY IN SUPPORT OF SENATE BILL 361
Election Law—Influence on a Voter's Voting Decision By Use of Fraud—Prohibition
Education, Energy, and the Environment Committee
February 26, 2025

Social Work Advocates for Social Change strongly supports SB 361, which would prohibit the use of fraud to influence or attempt to influence a voter's decision. Fraud in this case refers to the use of synthetic media—meaning a false image, audio recording, or video recording—that has been purposely created using artificial intelligence and digital technology to mimic a real candidate and their appearance, speech, or conduct.

Deepfakes and other AI-generated media have skyrocketed in usage over the past few years. In summer 2023, an image of President Trump hugging former chief medical advisor Anthony Fauci surfaced. In January 2024, voters in New Hampshire received a call from Joe Biden urging them not to vote in the primary,[1] which turned out to be a deepfake commissioned by a Democratic political consultant who wanted to spread wariness of AI.[2] Other examples include a photo posted by Trump of Taylor Swift as Uncle Sam endorsing him for president,[1] a video posted by Elon Musk in which an AI clone of former Vice President Kamala Harris declaring herself "the ultimate diversity hire,"[2] a video of Senator Elizabeth Warren insisting that Republicans should be banned from voting in the 2024 election,[3] and images of Harris in Soviet garb and of Black Americans supporting Trump.[2] In Maryland, Pikesville High School's principal was targeted with a fake recording of his voice containing racist and anti-Semitic comments. The recording was emailed to some faculty, then spread on social media by a teacher who was disgruntled by the principal's concerns over his work performance and alleged misuse of school funds.[4] Even Senator Ben Cardin was duped into a meeting with a deepfake of Ukraine's former Minister of Foreign Affairs Dmytro Kuleba, which appeared to be veracious until it began asking the senator questions like "Do you support long-range missiles into Russian territory? I need to know your answer."[5] These instances of AI misuse are troubling, especially as they are being used to imitate and even threaten high-level elected officials.

The effects of AI and deepfakes are already being felt across the American populace. The mere existence of AI technology can lead to a "liar's dividend," which is when an atmosphere of mistrust is created.[3] When people know devices like AI can be used to spread false media, they may be more wary of which sources to trust, which can enable

[1]*Candidate AI: The Impact of Artificial Intelligence on Elections*. (2024). Emory University. Retrieved February 10, 2025, from https://news.emory.edu/features/2024/09/emag_ai_elections_25-09-2024/index.html.
[2]Bond, Sharon. (2024, December 21). *How AI deepfakes polluted elections in 2024*. NPR. https://www.npr.org/2024/12/21/nx-s1-5220301/deepfakes-memes-artificial-intelligence-elections
[3]Panditharatne, M. & Giansiracusa, N. (2023, July 21). *How AI Put Elections at Risk—and the Needed Safeguards*. Brennan Center. https://www.brennancenter.org/our-work/analysis-opinion/how-ai-puts-elections-risk-and-needed-safeguards
[4]Finley, B. (2024, April 30). *Deepfake of principal's voice is the latest case of AI being used for harm*. AP News. https://apnews.com/article/ai-maryland-principal-voice-recording-663d5bc0714a3af221392cc6f1af985e
[5]Merica, D. (2024, September 26). *Sophistication of AI-backed operation targeting senator points to future of deepfake schemes*. AP News. https://apnews.com/article/deepfake-cardin-ai-artificial-intelligence-879a6c2ca816c71d9af52a101dedb7ff

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untrustworthy people to falsely accuse legitimate media as fake.[6] Misinformation driven by AI is simple to create and disseminate, which can cause further divisiveness, exacerbate existing delusions and echo chambers, and corrode faith in the government and media.[1] Furthermore, AI can intensify already existing challenges, such as rumors of election fraud, fabricated voting instructions, and cyberattacks. It can also facilitate easier fabrication of fake evidence of election misconduct. This can put election workers in further danger, as they face scrutiny, harassment, and other serious safety threats. Moreover, voter suppression tactics like fake information on how to vote are most likely to affect those from minority or low-income backgrounds.[7]

AI and deepfakes are already eroding public trust in the fairness of elections. A 2024 Pew Research Center study found that more than a third of Americans said that AI would mostly be used for bad during the presidential campaign, with 5% saying it would be used for good and 27% staying neutral. Over half of adults, comprising nearly identical numbers of Democrats and Republicans, reported extreme concern that those seeking to sway elections would use AI to create and distribute fake or misleading information about the candidates and their campaigns.[8] The Maryland General Assembly should act now to keep our elections free from interference and as fair as possible, with everybody having an equal voice to express their opinions on who they want in office. Crucial to note is that this is a bipartisan issue and shows little of the political polarization that is starkly apparent in discussions on many other topics.

Social Work Advocates for Social Change urges a favorable report on SB 361. It would put much-needed safeguards and regulations on the fast-growing AI industry, which has proved to have an uncanny ability to wreak havoc on the capacities of people to parse what's real from what's fake. Elections, as the pinnacle of the democracy upon which our country is built, should be free from undue influence from any bad-faith actors attempting to use manipulative tactics and based on complete fairness.

Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.

[6]Goldstein, J. A. & Lohn, A. (2024, January 23). *Deepfakes, Elections, and Shrinking the Liar's Dividend*. Brennan Center.
https://www.brennancenter.org/our-work/research-reports/deepfakes-elections-and-shrinking-liars-dividend
[7]Jackson, D., Weil, M, & Adler, W. T. (2024, October 25). *Preparing for Artificial Intelligence and Other Challenges to Election Administration*. Bipartisan Policy Center.
https://bipartisanpolicy.org/report/preparing-for-artificial-intelligence-and-other-challenges-to-election-administration/
[8]Gracia, S. (2024, September 19). *Americans in both parties are concerned over the impact of AI on the 2024 presidential campaign*. Pew Research Center.
https://www.pewresearch.org/short-reads/2024/09/19/concern-over-the-impact-of-ai-on-2024-presidential-campaign/