

**The 2024 New Hampshire AI Robocall:
Legal and Ethical Responsibilities in Digital Communication**

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STOP

Before You Publish

AI Communication Checklist

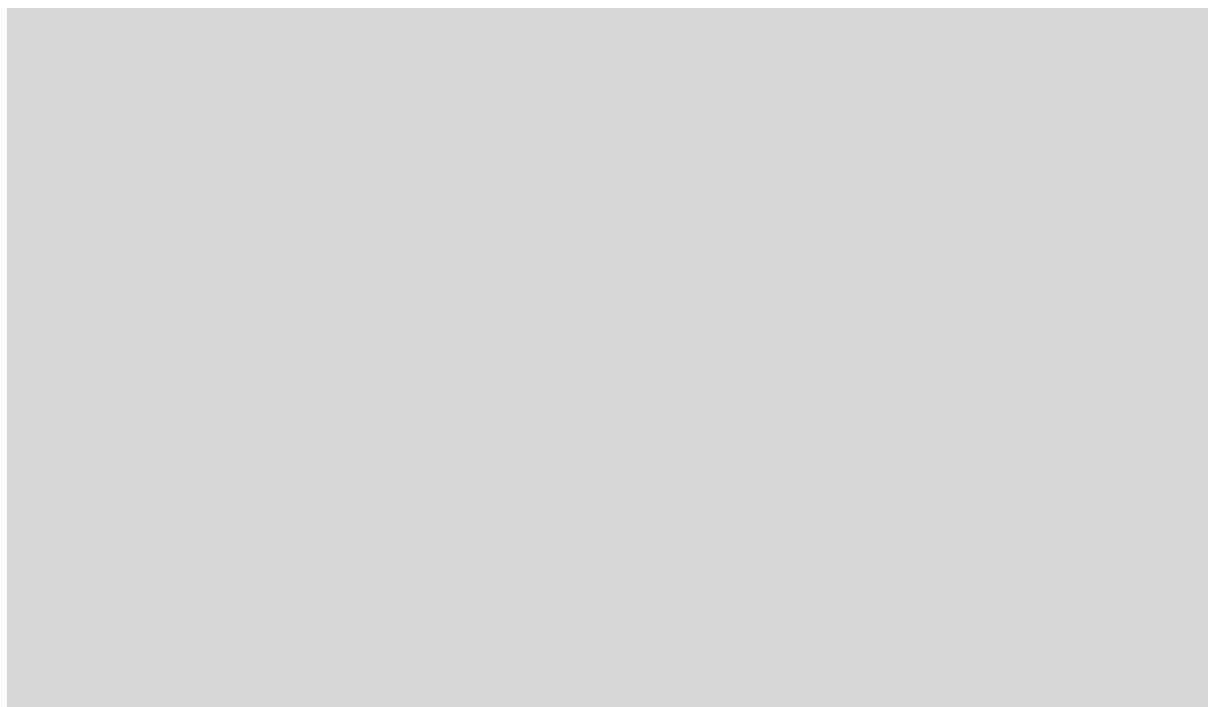
- ☐ Verify all facts and sources.
- ☐ Confirm the speaker's identity.
- ☐ Obtain permission for voices, images, and likenesses.
- ☐ Disclose AI-generated or AI-assisted content.
- ☐ Check privacy and intellectual-property rights.
- ☐ Follow robocall, advertising, and communication laws.
- ☐ Complete human review and approval.
- ☐ Document the decision and correct mistakes promptly.

AI may create the content,
but humans remain responsible for publishing it.


Draconic Realms Creations



<https://youtu.be/HeswGbSN3co>



The 2024 New Hampshire AI Robocall

The 2024 New Hampshire presidential primary robocall demonstrated how artificial intelligence can turn familiar communication practices into serious legal and ethical risks. The call used an AI-generated imitation of President Joe Biden's voice and encouraged voters not to participate in the primary. Because the recording was presented as an authentic message from the president, it was not simply political commentary. It was deceptive conduct designed to influence public behavior through a false identity (Associated Press, 2024). The incident shows

why every message distributed under an organization's name must be treated as both a legal publication and a reflection of professional responsibility (Moore et al., 2022).

Existing law remained relevant even though generative AI was comparatively new. The Telephone Consumer Protection Act regulates automated calls and artificial or prerecorded voices. After the incident, the Federal Communications Commission clarified that AI-generated voices are covered by statute restrictions. The technology used to create the voice therefore did not create a loophole or remove responsibility from the people who produced and distributed the call (Federal Communications Commission [FCC], 2024).

Caller identification spoofing created another layer of deception by concealing the calls origin. Federal law prohibits knowingly transmitting inaccurate caller information with an intent to deceive, harm, or defraud. Combined with voice cloning, spoofing increased the message's credibility, potential harm, and the communicators' legal exposure (FCC, 2024).

Application of the First Amendment

The First Amendment protects political opinions, criticism of public officials, press freedom, and participation in public debate. Those protections are essential to democratic communication, but they are not unlimited permission to impersonate a speaker or use deception to manipulate an audience. In the New Hampshire case, regulators focused on the unlawful method of communication—an artificial voice, false attribution, and misleading caller identification—rather than suppressing a political viewpoint (Associated Press, 2024; FCC, 2024).

Several landmark decisions clarify this distinction. In *New York Times Co. v. Sullivan* (1964), the Supreme Court protected robust criticism of public officials while recognizing potential liability statements made with knowledge of falsity or reckless disregard for the truth.

Reno v. American Civil Liberties Union (1997) extended strong First Amendment protection to online expression, but it did not place digital communication outside generally applicable laws against fraud and deception. *Packingham v. North Carolina* (2017) recognized social media as a vital forum for civic participation. That forum depends on audiences being able to evaluate who is speaking and whether a message is authentic.

New York Times Co. v. United States (1971) also placed a high burden on government attempts to stop publication in advance, but it did not authorize fraudulent impersonation. Together, these decisions show that freedom and responsibility reinforce each other. For Draconic Realms Creations, employees may express ideas and use emerging technology, but they must accurately identify sources and obtain authorization before reproducing another person's voice or likeness (Bryden, 2026).

Existing Laws, Best Practices, and Professional Ethics

The Draconic Realms Creations Digital Communication Law Handbook translates legal principles into workplace decisions. Its practices require employees to verify information, identify communication sources accurately, respect privacy and intellectual property, follow telecommunications rules, and review AI-generated material before publication. Applied to the New Hampshire robocall, these safeguards would have required proof of the speaker's identity and authorization. The fabricated recording should have been rejected before distribution because it failed basic standards of authenticity and truthfulness (Bryden, 2026).

Human review is especially important because an AI system cannot assume an organization's legal or moral responsibility. It can generate convincing audio, images, and text quickly, but it cannot determine whether publication is lawful, fair, or consistent with organizational values. A designated person must verify factual claims, permissions, disclosures,

and applicable regulations before approving AI-assisted content. The people who publish a message remain accountable for its consequences, regardless of the technology used to create it.

Professional codes provide guidance beyond minimum legal compliance. The Society of Professional Journalists' Code of Ethics directs communicators to seek truth, minimize harm, act independently, and remain accountable and transparent. The robocall violated these principles by concealing its source, presenting fabricated information, confusing voters, and avoiding accountability (Society of Professional Journalists [SPJ], 2024). The Public Relations Society of America emphasizes advocacy, honesty, expertise, independence, loyalty, and fairness. Unauthorized impersonation directly conflicts with honesty and damages confidence in professional communication (Public Relations Society of America [PRSA], 2024).

Draconic Realms Creations Ethical Practices and Conclusion

The Draconic Realms Creations Code of Ethics provides a practical response to the risks revealed by this case. Its eight principles require employees to communicate truthfully, respect copyright and intellectual property, protect user privacy, practice transparency, treat community members with respect, verify information before publication, accept responsibility and correct mistakes, and use AI responsibly (Bryden, 2026). The robocall violated truthfulness and transparency by presenting synthetic audio as authentic. It also disregarded respect and privacy by appropriating an identifiable person's voice without permission.

Verification and accountability are particularly important. AI-generated content can appear credible even when it is false, unauthorized, or misleading. Every AI-assisted message should receive human review for factual accuracy, permissions, source identification, likely audience harm, and compliance with relevant law. If an error is published, Draconic Realms Creations should acknowledge it openly, correct it promptly, document what occurred, and

improve the review process. Accountability should begin within the organization rather than only after public criticism or government investigation.

Future protection requires a formal AI-governance program rather than case-by-case reactions. Draconic Realms Creations should provide employee training in media law and ethics, require documented approval for synthetic media, disclose AI assistance when appropriate, conduct periodic audits, maintain a misinformation response plan, and review its AI policies annually. These measures support creativity and accessibility while keeping meaningful human judgment at the center of publication (Moore et al., 2022).

The New Hampshire incident confirms that technological innovation does not erase established legal and ethical duties. The TCPA, caller-identification rules, First Amendment principles, professional codes, and organizational policies all point toward the same expectation: communicators must be truthful about who is speaking and responsible for how a message affects the public. Artificial intelligence should enhance creativity, education, and productivity, but it should never replace judgment or accountability. By combining legal compliance with the Draconic Realms Creations ethical principles, the organization can embrace new tools while protecting the trust of customers, students, clients, and communities.

References

AI Use Statement

OpenAI's ChatGPT was used to assist with organizing, revising, and refining the written content and to generate the initial concept and artwork for the employee's AI prepublication checklist. Adobe Creative Cloud was used for final image preparation, design adjustments, formatting, and export. All AI-assisted written and visual content was reviewed, edited, and approved by the author, Eric Bryden, who accepts full responsibility for the accuracy, originality, and final presentation of the work.

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