



415 Yazoo Street
Jackson, MS 39201

October 22, 2026

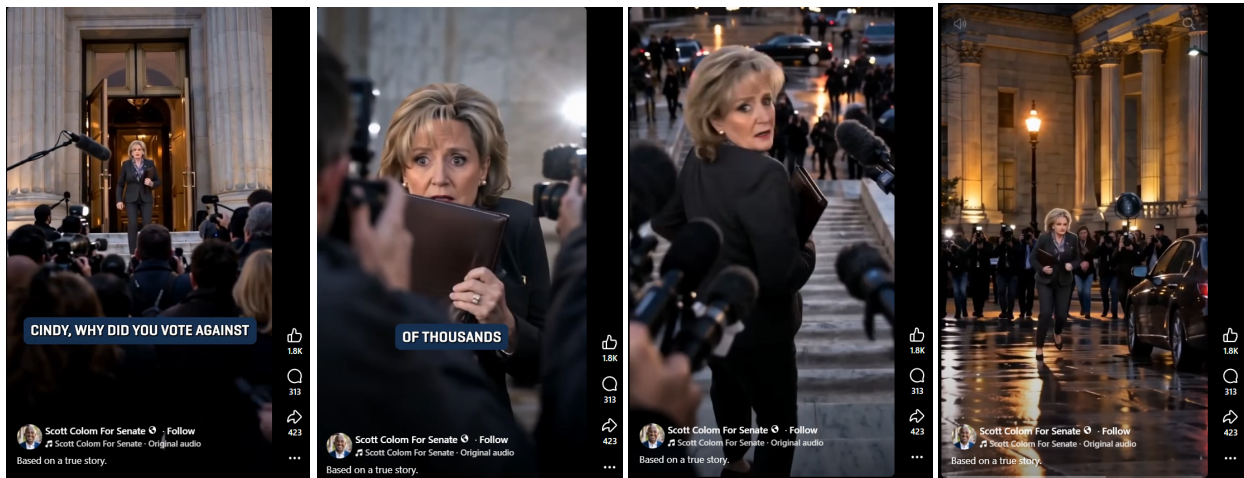
The Honorable Lynn Fitch
Mississippi Attorney General
550 High Street
Jackson, MS 39201

RE: Request for Investigation of and Injunctive Relief Relating to Potential Criminal Violation by Democrat Candidate Scott Colom in Violation of Miss. Code §97-13-47 in U.S. Senate Race in Mississippi

Dear General Fitch:

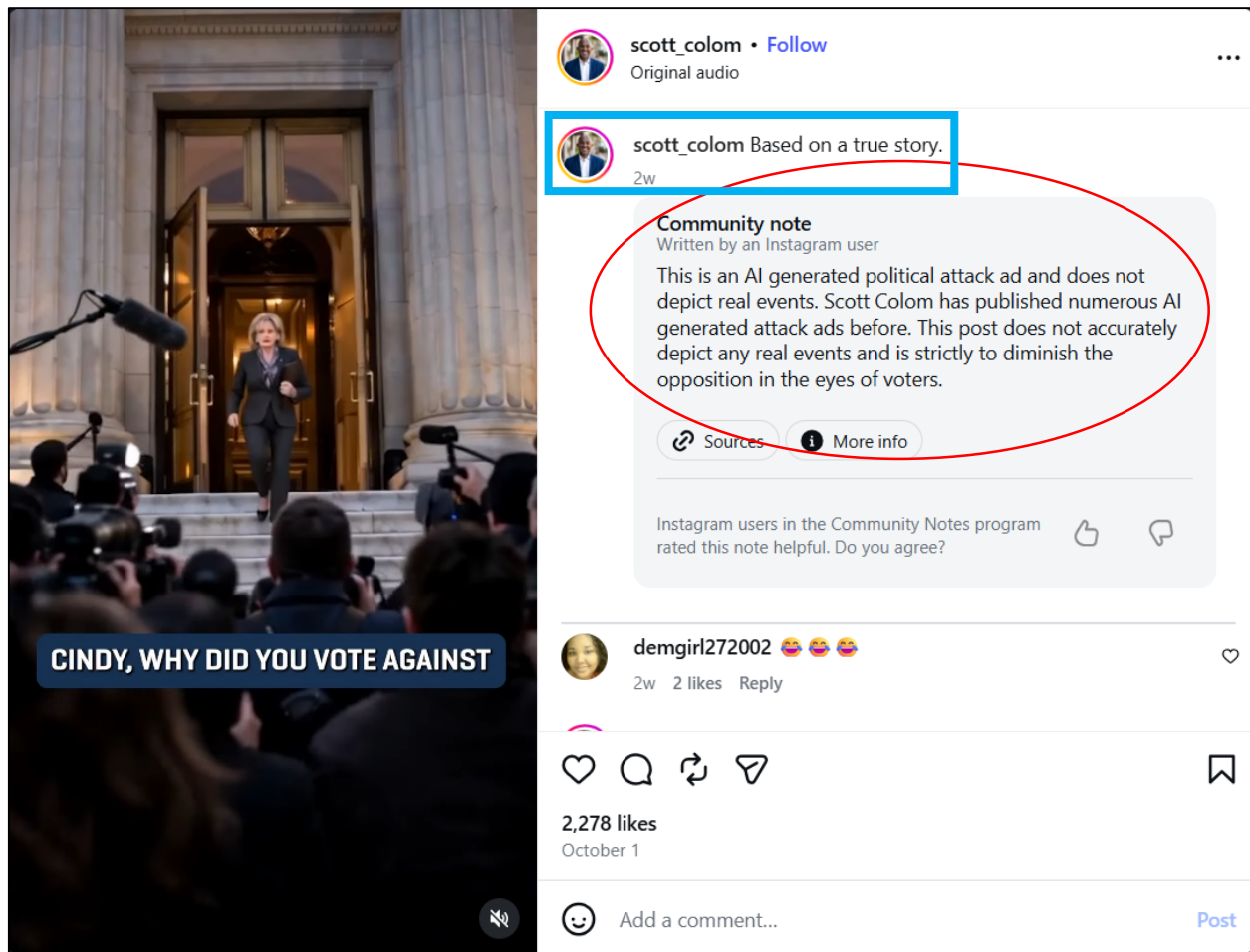
I am writing to request an investigation of and injunctive relief for a potential violation of state criminal law, specifically Section 97-13-47 of the Mississippi Code, by Democrat candidate Scott Colom in the U.S. Senate race here in Mississippi.

On October 1, 2026, the campaign Facebook page for Mr. Colom posted a 19-second, deepfake AI-generated video depicting a woman resembling U.S. Senator Cindy Hyde-Smith, with a narrator referring to the image as "Cindy," running from a very large number of reporters surrounding her, holding cameras and microphones, and depicting the woman as scared or fearful of the reporters chasing after her, before she enters a car.



See Scott Colom for Senate, FACEBOOK (Oct. 1, 2026) <https://www.facebook.com/reel/1106151875132117>.

The same day, Mr. Colom's campaign Instagram account also posted the deepfake AI-generated video, to which one Instagram user recently wrote a Community note:



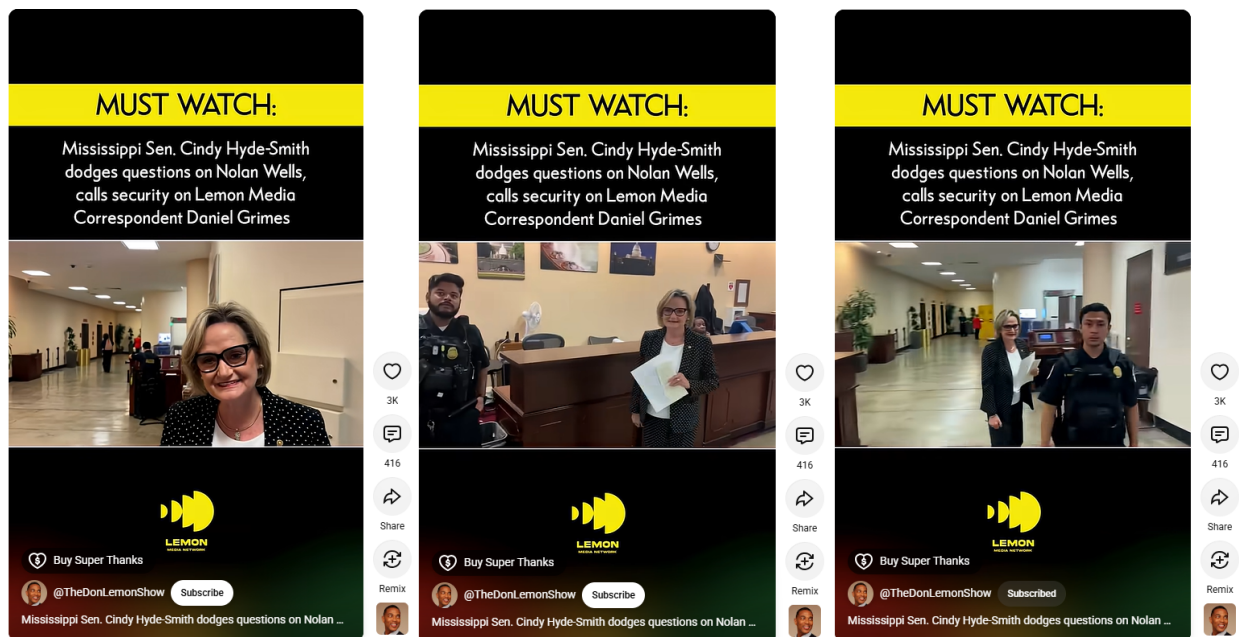
See Scott_Colom, INSTAGRAM (Oct. 1, 2026) <https://www.instagram.com/p/Dd-NLLDgEX9/>. The recording depicts conduct materially different from the actual encounter discussed below. These original posts and videos, including their complete captions and surrounding posts, should be preserved and reviewed.

In neither post did Colom note or otherwise identify this was a deepfake AI-generated video. Rather, in both posts, Colom stated: "*Based on a true story.*"

One recent newspaper article points out that "the woman in the video is not actually Cindy Hyde-Smith. It is an AI-generated portrayal. And though Colom's ad

states the video is ‘based on a true story,’ at no point does the ad disclose that it was generated using AI. This is not the first time in which the Democrat has used fictional methods to depict Hyde-Smith. Last year, he posted a fake phone call with Mississippi’s junior senator on social media when kicking off his campaign.” Heather Harrison, *Scott Colom’s AI Video of Cindy Hyde-Smith Raises Concerns About Deception and ‘Slopaganda’*, Mississippi Free Press, Oct. 16, 2026, available at <https://www.mississippifreepress.org/scott-coloms-ai-video-of-cindy-hyde-smith-raises-concerns-about-deception-and-slopaganda/>. In the article, Colom himself was interviewed and he doubled down on defending his deepfake AI-generated ad: “I’m portraying a true story. She calls security on voters.”

Mr. Colom is allegedly referring to one interaction with a single reporter from The Don Lemon Show,¹ where Sen. Hyde-Smith, smiling, informed the reporter NINE TIMES that she did not do hallway interviews. When the reporter refused to take “no” for an answer, and continued to pursue and harass her, Sen. Hyde-Smith was forced to ask Capitol Hill police officers to protect her from the reporter’s continued harassment.



¹ Mr. Lemon is currently under indictment for alleged violations of federal civil rights laws and the FACE Act, in connection with his participation in a planned takeover of Cities Church in St. Paul and the intimidation of its congregants. See Ryan Luetkeymer, *Journalist Don Lemon pleads not guilty to federal charges over Minnesota church protest*, COURTHOUSE NEWS SERVICE (Feb. 13, 2026) <https://www.courthousenews.com/journalist-don-lemon-pleads-not-guilty-to-federal-charges-over-minnesota-church-protest/>.

See Must Watch: Mississippi Sen. Cindy Hyde-Smith dodges questions on Nolan Wells, calls security on Lemon Media Correspondent Daniel Grimes, The Don Lemon Show (Sept. 23, 2026), <https://www.youtube.com/shorts/J5WwSF8VjyE>.

Section 97-13-47(2) of the Mississippi Code states:

(2) A person who disseminates a digitization or enters into a contract or other agreement to disseminate a digitization is guilty of a crime and may be sentenced as provided in subsection (3) of this section, if the person knows or has actual knowledge that the item being disseminated is a digitization and the dissemination:

- (a) Takes place within ninety (90) days of an election;
- (b) Is disseminated without the consent of the depicted individual;
and
- (c) Is disseminated with the intent to injure the candidate, influence the results of an election or deter any person from voting.

Miss. Code Ann. 97-13-47(2) (2026). The statute defines “digitization” as including but not limited to “the creation of an image or audio through the use of software, machine learning artificial intelligence or any other computer-generated or technological means . . . [which] includes any digital representation of speech or conduct that: (i) A reasonable person would believe depicts the speech and/or conduct of an individual who did not engage in the speech and/or conduct as presented; and (ii) The production of which was substantially dependent on technical means, rather than the ability of another individual to physically or verbally impersonate an individual.” Miss. Code Ann. 97-13-47(1)(b) (2026). A person convicted of violating the statute with the intent to incite or cause violence, cause bodily harm or to deter any person from voting, or having a prior conviction of the statute within the last five (5) years, carries a penalty of five (5) years in prison, a \$10,000 fine, or both. In all other cases, the statute carries a penalty of not more than one (1) year in prison or a \$5,000 fine, or both.

The present evidence warrants investigation of each statutory element. First, the video is clearly a “digitization” as defined by the statute, that is, a deepfake AI-generated video representing conduct that a reasonable person would believe depicts conduct of an individual (Sen. Hyde-Smith) who did not engage in the conduct as presented. Second, Mr. Colom clearly knows and knew at the time (based upon multiple media interviews)

that this was a deepfake AI-generated video and that he disseminated it. Third, the dissemination of the deepfake video occurred on October 1, 2026, 33 days before the November 3, 2026, general election, that is, within 90 days of an election as set forth by statute. Fourth, the video was disseminated without the consent of Sen. Hyde-Smith. And fifth, the video was disseminated with the intent to injure the candidate, influence the election or deter people from voting. Colom's manufacture and dissemination of realistically-looking but nonexistent conduct, in conjunction with the factors above, constitutes a clear violation of Mississippi law.

Mr. Colom will probably argue that he did not violate Section 97-13-47, claiming that the content of the video "constitutes satire or parody" pursuant to Subsection (6) of the statute. "Satire" is defined as "wit, irony, or sarcasm used to expose and discredit vice or folly (as of a person, government, or society); broadly: humor that criticizes weakness or wrongdoing." *Satire*, Merriam-Webster.com Dictionary, <https://www.merriam-webster.com/dictionary/satire> (last visited Oct. 20, 2026). "Parody" is defined as "a literary or musical work in which the style of an author or work is closely imitated for comic effect or in ridicule; a feeble or ridiculous imitation." *Parody*, Merriam-Webster.com Dictionary, <https://www.merriam-webster.com/dictionary/parody> (last visited Oct. 20, 2026).

This is not satire, as there is no "wit, irony, sarcasm" or "humor" in Mr. Colom's video. Rather, Mr. Colom claims in multiple social media accounts and in interviews with multiple media outlets that his deepfake AI-generated video is "based on a true story." However, Mr. Colom's deepfake AI-generated video portrays Senator Hyde-Smith as scared and running away from a large group of reporters, when, in reality, Senator Hyde-Smith had one interaction with a single reporter, where Senator Hyde-Smith continually smiled, did not run away from the reporter, continued to tell the reporter – nine times – that she did not do hallway interviews, and, only when the reporter continued to harass her, Senator Hyde-Smith was forced to ask police officers to protect her from the reporter's continued harassment. Mr. Colom's video is not satire.

Mr. Colom's deepfake AI-generated video is also not a "parody," as it is not a "literary or musical work" where "the style of an author or work is closely imitated for comic effect or in ridicule" nor a "feeble or ridiculous imitation." Mr. Colom has attempted to make this video look real and is attempting to use this video to injure Senator Hyde-Smith, influence an election, or deter people from voting, not for comic effect, as he has specifically said he was "trying to get young peoples' attention. We're trying to find greater ways to get their attention." Ross Adams, *AI-generated video fuels controversy in Mississippi Senate race*, 16 WAPT News (Oct. 10, 2026)

<https://www.wapt.com/article/mississippi-senate-race-ai-video-controversy-colom-hyde-smith/74056258>. Mr. Colom's deepfake AI-generated video is not a "parody."

As Mississippi Christian University political science professor Dr. Glenn J. Antizzo stated in response to Colom's deepfake AI-generated video: "Unfortunately, AI is increasingly blurring the line between reality, and, you know, uh, made up stuff. And, unfortunately, uh, unless you have a very discerning eye or unless there is a disclaimer at the bottom, in a lot of cases people are not going to be able to tell the difference." *Id.* This is compounded by the fact that Colom's Instagram post has been "liked" 2,278 times and his Facebook post has been "liked" more than 1,800 times, has 313 comments, and has been shared 423 times. In fact, in the WAPT news story above, when reporter Ross Adams is interviewing a voter, Adams says, "When you look at that video, now you know it's not real," the voter responds by saying "Oh, yeah, OK," surprised, and then asks, "It's not real, right?" *Id.* Clearly some Mississippi voters have been deceived by the video.

Mr. Colom created, produced and distributed this video, purports to portray the video as an actual incident, employs a realistic visual style, claims that it is "based on a true story" without clearly distinguishing the fictional conduct from what occurred, has never noted on the video that it is in fact a deepfake AI-generated video, and continues to keep this video up and has not taken it down after being questioned about the video. Colom's criminal violations appear to be ongoing and are perpetuating a significant fraud on Mississippi voters.

And, sadly, this is not the first time Mr. Colom has attempted to trick, confuse and deceive Mississippi voters in this campaign, as Colom appears to also have violated federal law last year when he posted on social media what appeared to be a phone call with Senator Hyde-Smith, with a voice on the phone sounding like Senator Hyde-Smith, in violation of Section 912 of Title 18 of the United States Code, as Colom appeared to be attempting to falsely impersonate Senator Hyde-Smith and fraudulently using Senator Hyde-Smith's voice to trick people into supporting him, donating to him, and voting for him. *See* Letter from Mike Hurst, Chairman, Mississippi Republican Party, to FBI, DOJ and U.S. Attorney (Sept. 4, 2025) (on file with author).

These knowing, deliberate and intentional actions of Mr. Colom have violated Mississippi criminal law, and even worse, are intended to illegally influence an election and trick voters into believing a lie. These criminal acts are incredibly disappointing when committed by anyone, much less a licensed attorney, an incumbent District

Attorney and chief law enforcement officer for an entire judicial district in Mississippi, and a candidate to be a United States Senator.

On behalf of the Mississippi Republican Party, we humbly request that your office immediately investigate these potential violations of Mississippi law, move to enjoin Mr. Colom pursuant to Subsection (4)(a) of the statute from using this and other deepfake, AI-generated content that violates or would violate state law, and instruct Colom and his campaign to preserve all evidence of and cease and desist from further criminal violations. These actions are necessary to ensure that justice is done and that no one is above the law.

The State of Mississippi has a legitimate and substantial interest in preventing election deception, protecting our voters and securing our elections from fraud. Therefore, we must do all that we can to enforce our state laws and ensure that those who violate our laws – no matter their position or standing – are brought to justice and that integrity is restored to our elections. Please let us know if you have any questions or need additional information. Thank you.

Sincerely,



Mike Hurst
Chairman
Mississippi Republican Party

DMH:dmh