



How Incumbents Use Official Prerogatives to Generate Free Political Advertising

Jacob Smith, Duke University

It is hardly surprising when an incumbent uses political advertising to raise his or her reelection prospects. But ethics issues arise when incumbents use public resources and duties to gain an advertising edge. For example, Cherie Berry is the commissioner of North Carolina's Department of Labor, which oversees the Elevator and Amusement Device Bureau. The Bureau conducts semiannual inspections of the state's elevators, escalators and so forth. Berry was first elected labor commissioner in 2000 and won reelection in 2004. In 2005 she put in place a rule that every elevator in the state must include placards adorned with the labor commissioner's picture – ensuring that her picture would be everywhere.

Do Berry's Elevator Pictures Count as Free Political Advertising?

Mandated elevator pictures have made Berry a niche celebrity in North Carolina. She has had several songs written about her. There is a parody Twitter account with the handle @ElevatorQueen. Berry has reveled in her fame. In fact, her 2012 reelection campaign included a television advertisement in which her elevator picture did the narration.

In an article in the May 2016 edition of the journal *American Politics Research*, my coauthor Neil Weinberg and I probed whether these picture-adorned placards are a novel form of political advertising. Other incumbents have advertised in similar ways – for instance, by putting their names on state driver's licenses. But Berry's unique tactic is documented with publicly available data.

Political scientist David Mayhew defined political advertising as “any effort to disseminate one's name among constituents in such a fashion as to create a favorable image -- but in messages that have little or no issue content.” If Berry's pictures fall in this category, improving her name recognition and bringing in more votes, she should get the biggest boost in counties with the highest concentration of elevators.

Berry is a conservative Republican from rural Catawba County who has advocated abolishing the minimum wage. Other factors equal, we would expect her vote totals be limited in urban counties like Wake (which contains Raleigh) and Mecklenburg (which includes Charlotte), as well as counties with large universities, like Orange (University of North Carolina at Chapel Hill) and Watauga (Appalachian State). That is, we would expect this result unless the elevator pictures serve to bring her vote totals up.

Did the Elevator Pictures Affect Votes?

We expected Berry to get a higher percentage of the vote in counties with a high concentration of elevators, because voters are more likely to support a candidate whose name they recognize – assuming such familiarity

is favorable. For Berry, we expect elevator pictures to increase the number of voters who are familiar with her when they see her name on the ballot – at least in counties where there are a large number of elevators where her smiling face is everywhere. Favorable impressions voters get from seeing her name and smiling face should Berry apart from her opponents, making voters more likely to cast ballots for her.

Our statistical models compared Berry's performance at the county level in 2008 and 2012 – the two elections held after her pictures were installed on elevator inspection placards – to her own previous vote percentages. And we also made comparisons to the average county-level percentages received by other Republicans running for comparable statewide offices in the North Carolina Council of State.

The results show the benefits of this kind of political advertising, because we found that higher concentrations of elevators boosted Berry's election results.

- In 2008, Berry's net change in vote percentage from her own previous tallies was positively associated with the number of elevators per 1,000 people in a given county. In other words, Berry's performance went up most in those counties with a high concentration of elevators. However, we found that the concentration of elevators in a given county did not predict Berry's performance compared to other Republicans running for state office in 2008. We use the analogy of a runner who is in the midst of training to reconcile these apparently contradictory results. The mid-training runner might improve on her own previous performances, but still not beat the rest of the field.
- The 2012 results were not as ambiguous. Once again, Berry brought up her total of the vote in counties with a higher concentration of elevators. But this time, Berry performed better than other Republicans running for statewide offices in counties with a higher concentration of elevators per 1,000 people.
- Beyond the original article, after the 2016 election I looked again. The results hold, as Berry once again did better than other Republicans running for statewide offices in counties with a higher concentration of elevators.

A Clear Advertising Advantage

As political scientists have long thought, even the most unorthodox kinds of advertisements affect elections. With free advertising such as the North Carolina elevator pictures, incumbents get benefits without having to spend their own campaign funds. Officials who learn from Berry's elevator pictures may realize that such advertising – exploiting resources in their current public office – can help when they try to run for higher political office. In a May 2013 poll, Berry performed strongest of all Republicans tested against then-Democratic Senator Kay Hagan for the soon to be vacant North Carolina Senate seat. Although Berry did not run for that seat, her picture in so many elevators continued to reinforce her political prospects as she won a fifth term as labor commissioner in 2016.

Read more in "The Elevator Effect: Advertising, Priming, and the Rise of Cherie Berry" (with Neil Weinberg). *American Politics Research* 44, no. 3 (2016): 496-522.