

VIRGINIA DEPARTMENT OF ELECTIONS

GUIDELINES FOR NEWS MEDIA DURING ELECTIONS

News media representatives may visit Virginia polling places on Election Day for a reasonable and limited period of time for the purpose of filming or photographing inside the polling place. Media representatives must not be disruptive to the smooth operation of the election and voters and election workers must not feel uncomfortable with their presence or feel that their privacy is being violated. Virginia law places several limitations on activities inside the polling place, including limitations on news media activities. These guidelines summarize the applicable Virginia laws and best practices for the activities of media representatives at the polling place.

Before Election Day:

- ✓ If a media representative would like to visit a polling place on Election Day, it is recommended that he/she contact the general registrar in the locality of the polling place(s) where he/she would like to visit. Local election officials are often overwhelmed with last-minute preparation activities prior to an election and contacting them several days in advance to discuss one's intentions is especially welcomed. Contact information for individual registrar offices is available at the Department of Elections' (ELECT) website (elections.virginia.gov)

On Election Day:

- ✓ Media representatives are permitted inside the polling place only when the polls are open (6:00am to 7:00pm).
- ✓ A 40-foot Prohibited Area surrounds the entrances to all polling places. Virginia law restricts various activities inside the Prohibited Area and polling place, including media activities. Election officials will clearly demarcate this Prohibited Area.
- ✓ Media representatives should contact the Chief Officer of Election upon entering the voting area. This person can authorize media representatives' presence.
- ✓ *Media representatives should be prepared to display media credentials or identification if requested by an officer of election.*
- ✓ Discuss placement of cameras for photos and/or filming with the Chief Officer, as equipment should be placed so as not to show the faces of those attempting to vote or hinder the flow of voting.
- ✓ The length of any visit is restricted to a reasonable and limited period of time, and all representatives should leave immediately after completion of filming.

Permitted and Prohibited Activities:

- ✓ Virginia law limits media representatives' permissible activity inside the Prohibited Area and polling place to filming or photographing.
- ✓ Interviews or taping of reporters' remarks are prohibited inside the polling place and the Prohibited Area.
- ✓ There shall be no interviews or discussions with voters, election officials, authorized representatives, and others inside the Prohibited Area and polling place. Media representatives are prohibited from filming or photographing any person who specifically asks that he/she not be filmed or photographed.
- ✓ No filming or photographing may be performed in a way that divulges how any individual is voting.
- ✓ Representatives shall not film or photograph the voter list or any other voter record or material at the precinct in such a way that it divulges the name or other information concerning any individual voter.
- ✓ Media representatives shall not impede the voting process or the work of the polling place staff.
- ✓ Officers of election may require any person who is found by a majority of the officers to be in violation of the laws governing activities in the polling place to leave the polling place and the Prohibited Area.
- ✓ Please note that Virginia's prohibitions concerning electioneering within the Prohibited Area and polling place also apply to media representatives. This includes, but is not limited to, wearing campaign apparel, handing out campaign literature, and urging the election or defeat of any candidate or issue on the ballot.
- ✓ The minimum penalty for any conduct found unlawful (and for which punishment has not otherwise been noted in the Code) shall be a Class 1 misdemeanor. (Va. Code § 24.2-1017)

Questions or Concerns? Please contact the Virginia Department of Elections at 1-800-552-9745.