
Keep Your Eyes Off My Polling Place

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Millions of Americans will go to the polls today to choose, among other officials, the next President of the United States. While the power to choose our own leaders is certainly remarkable in its own right, for most people the process of voting is relatively mundane. They go to the polling place, they vote, and they leave.

What some voters may not realize is that access to polling places is meticulously regulated. For example, the State of North Carolina has enumerated only a few specific groups of people (including voters, of course) who can enter a polling place on Election Day. Everybody else must remain outside a polling place and its corresponding “buffer zone,” which extends up to fifty feet from the entrance to the building containing the polling place. This means no electioneering and no media are permitted any closer. For many polling sites, the buffer zone will literally be marked with a sign or a line indicating precisely where the buffer zone begins.

Late last week, the North Carolina State Board of Elections issued a press release reminding voters and the media about the restricted nature of polling places. Individuals marking their ballots cannot be photographed or videoed and cannot be interviewed by the media within the polling place, unless the voter and the precinct’s chief judge give permission to do so. Interestingly, only the permission of a candidate (and not the chief judge) is required for the media to record a candidate inside a polling place. In any event, it is generally illegal for anybody, including a voter, to photograph or otherwise record the image of a marked ballot.

The underlying principle of all of this is that the polling place and the secrecy of one’s ballot are sacred. In fact, North Carolina statute specifically states that each polling place must have “[a] sufficient number of private spaces for all voters to mark their official ballots in secrecy.”

With your ballot’s secrecy carefully secured, I encourage you to vote for the candidates of your choice on this Election Day. If you are registered to vote in North Carolina, you can find your polling place on the North Carolina State Board of Elections website.

About the author: David Earley practices on the firm’s litigation team. Before joining Young Moore, David worked on election law matters at the Brennan Center for Justice at NYU School of Law. Please contact him if you have any questions about this article or would like to discuss it further.

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