Media Access Overview: Pennsylvania

Polling Place Access
- When the polls are open, only poll watchers, peace officers, and up to ten persons waiting to vote may enter the polling place. 25 Pa. Stat. Ann. § 3060(a).
- Candidates and political parties may each authorize a certain number of “poll watchers” to be present in the voting room and challenge voters’ qualifications. 25 Pa. Stat. Ann. § 2687. Poll watchers cannot enter the “enclosed space” containing the voting booths or machines. Id.

Access to Vote Tabulation Processes
- Pennsylvania has not recognized a general public right of access to the initial vote count or recount process. See Reporters Committee for Freedom of the Press, 2020 Election Legal Guide. We could not find any statutory provisions authorizing the press or the general public to view the initial ballot count or any recount.
- While the election count is ongoing at the central tabulation center, the county board of elections may “unofficially report the progress of the count.” 25 Pa. Stat. Ann. § 3031.14(e).
- Pennsylvania’s Department of State website displays election results starting on election night. See Reporters Committee for Freedom of the Press, 2020 Election Legal Guide (citing Election Results, Pennsylvania Department of State).

Access to Information/Records

Potential Issues
- Pennsylvania law authorizes only representatives of candidates and political parties to serve as poll watchers and be present at voting locations and vote count proceedings. However, some sources indicate journalists may be able to serve as poll watchers or otherwise observe the vote count. See Pennsylvania Newsmedia Association, “Legal Hotline: Press Access to Polling Places,” https://panewsmedia.org/legal-hotline-press-access-to-polling-places/.

Contact the Reporters Committee Legal Hotline at 1-800-336-4243 or hotline@rcfp.org if you have questions about reporting on the general election or run into issues while covering the election.
● The Elections Code provision about access to county records, 25 Pa. Stat. Ann. § 2648 (West), appears to interpret the term “public inspection” narrowly as ‘inspection only by county electors.’ The provision’s language raises questions about the scope of “public inspection” rights discussed elsewhere in Pennsylvania’s Election Code.
● Observers have expressed serious concern about how long it may take to count ballots after polls close (especially if poll workers cannot begin counting mail-in votes in advance) and what effect delays may have on public confidence in the electoral process.

Key Resource
● The Pennsylvania Secretary of the Commonwealth’s Office can be reached at 717-787-1734.