

You may have received an email or heard a rumor that it is illegal to wear political paraphernalia such as t-shirts and buttons and that, if you wear political gear, you will be prohibited from entering the polling place to vote. Laws on this subject vary from state to state and are often confusing. This confusion is most pronounced at the polling place, where poll workers may not know, what, if anything, they should do if a voter wears political paraphernalia to the polling place. Though there are certainly First Amendment concerns about preventing Americans from expressing their political choices, it may be easiest for voters to not wear t-shirts, buttons or other apparel that supports or opposes a candidate or an initiative.

To protect against voter intimidation and fraud, many states have enacted laws that restrict political campaigning and voter solicitation in and around polling places. Not only does the breadth of these restrictions vary from state to state, these laws are often vague and open to many different interpretations. Because of this, poll workers and those who train the poll workers often have a hard time determining what activity is prohibited. Therefore, even if you live in a state that allows voters to wear political gear inside a polling place, a confused or inadequately trained poll worker may attempt to prohibit you from entering the polling place to vote. Because we want to ensure that every eligible voter has the opportunity to cast a meaningful ballot, we encourage voters to err on the side of caution and not wear t-shirt, button, or other political apparel when you go vote.

We understand that many of you may feel that it is within your First Amendment rights to wear political paraphernalia into the polling place. It is certainly true that, because these polling place laws limit freedom of expression in and around the polling place, they do have First Amendment implications; however, the United States Supreme Court has not yet determined whether a state's ban of t-shirts, buttons, and other political paraphernalia inside the polling place violates voters' First Amendment rights. Voters who attempt to challenge these laws by wearing political paraphernalia to their polling place may end up causing an unnecessary disruption, and perhaps longer lines, at the polling place.

Whether or not you choose to wear political apparel to the polling place, if you are denied your right to vote for this or any other reason, please call the Election Protection hotline at 866-OUR-VOTE (866-687-8683) for immediate assistance. Election Protection will work with poll workers and state election officials to ensure that all eligible voters are able to cast a meaningful ballot.

For all of your Election Day or Pre-Election Day questions, please either visit our website at www.866OurVote.org, or call the Election Protection Hotline at 1-866-OUR-VOTE (866-687-8683).