

Media Clients Successfully Challenge Exit Poll Restrictions in Minnesota

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ABC, The Associated Press, CBS, CNN, Fox News and NBC Universal were recently successful in challenging the constitutionality of a Minnesota state law restricting their ability to conduct exit polls at polling places on Election Day. In order to provide informative and timely information to the public about voting trends and behavior, these news organizations have jointly conducted exit polls throughout the United States for many years. On October 15, 2008, Chief Judge Michael Davis for the District of Minnesota ruled in favor of the plaintiffs, granting their motion for a preliminary injunction and ordered Minnesota election officials to permit exit polling within 100 feet of the polls on November 4, 2008. Cahill represented the plaintiff news organizations in the matter, successfully arguing that restricting their newsgathering activities violates the First Amendment.