

The Election Coverage and Democracy (ECAD) Network



As we count down to Election Day in the U.S., November 3, 2020, we find ourselves at a dangerous moment for democracy. As scholarly experts in politics and media, we draw on research from our field to offer practical, nonpartisan, evidence-based recommendations to journalists covering the 2020 U.S. presidential election. We hope these recommendations—based on decades of research into electoral processes, news coverage, and public opinion—support the important work journalists are doing to cover the election and safeguard democracy.

We would like to offer resources in three areas:

- Covering the election between now and November 3;
- What to do if there is a contested election when the result is unclear or a candidate does not concede; and,
- What to do if there is civil unrest.

Throughout, we strive to highlight the practical considerations of what can be done given the considerable economic and other constraints within which newsrooms operate. We conclude with several resources.

# Covering the Election Amid Attempts to Undermine It

The news media are the <u>primary way</u> the public <u>learns about politics</u>. Journalistic coverage directly affects political attitudes and behaviors, especially at the margins where elections are won. For this reason, it is essential that news media are prepared to address the nature of strategic attempts to undermine the election, especially at a time of heightened polarization. The decisions media outlets make about how to cover this election matter. Journalists have the power to profoundly shape public



trust (or distrust) in the election process, belief in democratic norms, and even political participation itself.

#### Deny a platform to anyone making unfounded claims.

Changes in the media environment have made it easier for politicians and their organized supporters to produce and distribute unfounded political claims. These may meet standards of newsworthiness for their novelty but have negative consequences for free and fair elections. Covering unfounded claims, even if made by prominent people who would otherwise be newsworthy, has two effects. First, it requires news organizations to allocate resources and attention to unfounded claims that might be otherwise assigned to substantive information. Second, this coverage may lend credibility to non-credible statements. Ask what coverage decisions mean for democratic health.

#### Put voters and election administrators at the center of elections.

When voters and election administrators are the protagonists of election coverage, the public wins. While covering the <a href="https://www.nc.nc.">horse race</a> is one way journalists distance themselves from partisanship while reporting on politics, it rarely contains substantive information voters can use to make decisions at the polls. It can even <a href="confuse and demobilize">confuse and demobilize</a> the public. Instead, centering voters and election administrators, highlighting everyday acts of civic duty, focusing on process and timelines, covering the polling places and workers that are doing it right, and revealing issues where people agree elevates the everyday citizen while demystifying institutions. Offering up such democratic solutions <a href="may.nc.nc.nc.">may help</a> citizens feel more positive about the health of U.S. democracy and their own political efficacy. While including the voices of citizens is important, avoid the most politically extreme person-on-the-street interviews and focus on voices of moderation.



#### Strive for equity in news coverage of candidates.

It is not just what gets covered, but <a href="mailto:the-balance">the-balance</a> of what and who gets covered that matters. The balance of media attention—for example, how much attention is assigned to one candidate relative to another candidate—can affect what the public believes to be important. In 2016 research revealed that Donald Trump not only received the <a href="mailto:most news">most news</a> attention, but the <a href="mailto:type of coverage">type of coverage</a> he received likely benefited his campaign—and data shows the <a href="mailto:same thing is happening">same thing is happening</a> this election cycle. Journalists should consider how the amount of coverage candidates receive may affect the fairness of the election. Demonstrating balance in coverage—and communicating a commitment to fairness—is an important way of <a href="mailto:building trust">building trust</a> with news audiences in an environment of growing suspicion.

### Make quality coverage more widely accessible to expand publics for news.

The uncertainty that characterizes this election cycle provides media outlets with an opportunity to reach <u>new news consumers</u> beyond subscribers. This possibility has already been demonstrated by local news organizations that have found new audiences motivated by the need for quality information on the coronavirus. Bringing down the paywall for quality news coverage in advance of the election will likely help expand audiences for news. It would also help journalism organizations engage audiences beyond those who are already the most politically engaged and reach the public at large. Include marketing teams in conversations about distributing election coverage that reaches more people with the information they need to participate in democracy. Journalism outlets can also draw on the research-based insights of organizations such as the <u>Center for Media Engagement</u> in order to address how content that outlets select for posting on social media shapes what reaches citizens.



# What to do in the case of contested election results when the outcome is unclear or a candidate does not concede

We are already at a moment when election results are being questioned. The president and members of his party have falsely claimed that there is significant and widespread voter fraud through illegal mail-in ballots, in addition to stating that the election will be illegitimate if the president doesn't win. The president's calls to supporters to monitor the polls independently from established rules around poll watching raises the possibility of voter intimidation and violent contestation of the results. Moreover, on multiple occasions President Trump has refused to commit to accepting the results of the 2020 election. Newsrooms must prepare for the possibility that the outcome of the election might be unclear or, even when it is clear, not conceded. Under such a scenario, professional news organizations bear a particularly important responsibility in helping the public navigate what will be a confusing barrage of contested claims about the nature of the ballot-counting process. We recommend the following steps to center verifiable information, highlight established processes by which ballots are cast and counted, and support democratic norms.

#### Publicize your plans and do not make premature declarations.

While journalists face incentives to make declarations of victory, it is imperative that outlets get the story right for public confidence in the election. Before Election Day, newsrooms should <u>repeatedly publicize</u> how they are going to cover the election and communicate in advance how they will render decisions. Such discussion can include describing



what constitutes a clear outcome, the types of sources that will inform such decisions, and the standards employed. In preparing these plans, triangulating evidence such as poll results, expert insights including those of election administrators, and analyses that put electoral returns in historical context will ensure quality coverage—which most national networks already do. Prepare audiences for the length of time it might take to have a definitive result in some races and discuss uncertainty if results are not yet clear. Finally, it is worth reminding audiences that a secretary of state (or other equivalent office holder) must certify vote counts, which often happens weeks after an election, which means vote counts on election night are not final (see this article for an excellent primer on the process of counting votes).

# Develop and use state- and local-level expertise to provide locally-relevant information.

State- and county-level expertise can provide key insight for reporting on election processes and counts and decipher legal and other challenges. Potential sources of this expertise, reported on in the public's local context, include state boards of elections and secretaries of state, as well as local university faculties and experienced journalists. Strong local media can be a potential influencer of national media coverage during contested and unclear elections. Knowledge of specific electoral systems and procedures in the states, and their processes for adjudicating disputes, is imperative, and having a list of experts prepared early will be useful.



### Distinguish between legitimate, evidence-based challenges to vote counts and illegitimate ones that are intended to delay or call into question accepted procedures.

Focus on legitimate, evidence-based contestations of the ballot or uncertainty about vote counts. Do not give a platform to statements that are not grounded in clear and compelling evidence. One way to distinguish between these will be timing: spurious claims made without evidence before anyone knows the results are often intended to undermine public perception of electoral legitimacy. Do not amplify false claims about the process of voting or the outcome by candidates, political parties, or other strategic political interests. If there is a need for reporting on a newsworthy statement by a leading political figure, adopt the "truth sandwich" technique: lead with the truth and then explain how the claim is false and conclude by reiterating what is true. Always bear in mind that repeating a false claim, even if to fact-check it, risks increasing the likelihood that your audiences will think it is true.

### In the event of a contested or unclear outcome, don't use social media to fill gaps in institutionally credible and reliable election information.

There will be immense pressures on journalists to be continuously reporting something new. As such, it is imperative that journalists stick closely to verified information about the election. This means not amplifying social media posts where people or organizations—including many with a stake in the outcome including foreign influence operations—will be making their own calls and interpreting limited data. Resist covering social media sentiment about the election and conspiracy theories as a story in their own right. Do not amplify false statements about the election process or outcome. Strive to avoid letting the



discourse on social media influence the tone and focus of your coverage. Recognize that social media <u>do not represent the electorate</u> and social media often amplifies the most extreme voices. Social media can shape journalists' perceptions of what is newsworthy and what public sentiment is in <u>highly skewed ways</u>. This is particularly important for local television news. <u>Most people learn about elections from television</u>; evidence-based local journalism can have a calming effect on public anxieties.

# Cover an uncertain or contested election through a "democracy-worthy" frame.

Filter decisions about how to cover the election through the lens of democracy. This will likely require a willingness to repeat important stories, emphasize what is known and verified, and avoid reporting unproven or baseless claims. Consider what is "democracy-worthy." This means resisting the amplification of claims and storylines that are dangerous to the integrity of elections. It also means avoiding giving a platform to unsubstantiated claims in all of their forms, but particularly those that aim to discredit the electoral process. Recognize the dangers of relying on partisan operatives as major sources of news content. Consider lessons from science reporting: having expert sources, not partisan sources, best serves the public. It is especially important that journalists promote intra-partisan disagreement when attempting to counter disinformation.

# Recognize that technology platforms have an important role to play.

Platform companies can do far more to check the spread of election disinformation. Most already have <u>policies</u> banning false information



about the processes and procedures of voting. Those policies need to be consistently enforced, especially in regard to politicians and organized political interests, and the news media should scrutinize platforms and hold them to account. Platforms can consider proactive time delays on posting for certain accounts such as the president's, where posts are immediately subject to review to ensure they do not violate a platform's pre-existing policies. Platforms can also clamp down on candidate advertising that prematurely declares victory on Election Day and during the weeks after it, as Facebook has announced recently it will do. Any content that attempts to prematurely declare victory for any candidate should be taken down or corrected through a prominent disinformation label and down-ranked so it is less likely to appear in users' feeds.

#### Embrace existing democratic institutions.

This has been a highly unusual election cycle. Acknowledge that these are challenging times. But even so, the U.S. election system is reliable and secure overall, a conclusion that has been confirmed through extensive research. This reliability and security includes the use of mail-in ballots which Trump has personally used repeatedly and the Republican Party promotes. Your reporting can reduce uncertainty and elevate citizen efficacy by highlighting processes and procedures (e.g., "this is how elections work"). One way to reinforce this electoral confidence is by emphasizing that the increased availability of mail-in ballots is an effective response to the COVID crisis, and shows that our voting systems can adapt and protect public health even amidst the most challenging circumstances. It will take longer to count the ballots this year, but that does not mean there is chaos in our voting system. Saying otherwise, such as through the language of 'chaos', undermines public trust. Indeed,



the amount of time it takes to count votes is often evidence of the strength of our electoral system's commitment to getting it right.

### How to prepare for the possibility of postelection civil unrest?

People in the U.S. have a fundamental First Amendment right to express, argue, pursue, and defend their ideas, individually or collectively. At times, protests can become more disorderly, moving beyond expression to the point that they become a public safety concern, what we call civil disturbance and unrest. We must face the possibility that the 2020 U.S. election results will prompt civil unrest because one of the candidates does not accept the results, because the results themselves remain uncertain for days or weeks and partisans will seek the results they desire, or simply because some Americans will disagree with real or predicted outcomes. As these events play out, our scholarly community believes the news media will have a consequential role in upholding free and fair elections and easing domestic tensions.

#### Help Americans understand the roots of unrest.

The 2020 presidential elections are taking place during an unprecedented period of uncertainty. The COVID-19 global pandemic has disrupted the social and economic lives of much of the county. The American public is experiencing polarization across many dimensions including race and ethnicity, nationality, religion, political affiliation, and geography. Also, the President and members of his administration and party are stoking concerns about electoral malfeasance and amplifying lines of social division. This provides a setting where Americans may not accept the outcome of the presidential election in November, leading to potentially violent civil unrest.



#### Uphold democratic norms.

The U.S. Constitution is clear that the "The person having the greatest number of votes for President, shall be the President if such number be a majority of the whole number of Electors appointed." News coverage should unambiguously and repeatedly remind the public of that fact, and explain how the Electoral College works and electors are chosen in the states. Between now and the election, journalists should ask those holding elected office and those on the ballot of their intentions to support a peaceful transfer of power. Journalists should underscore that the presidential candidate with a losing number of Electoral College votes should concede. If results are in question, call on candidates to publicly address their supporters about the explicit process for reviewing ballots, urge a calm and orderly process of certifying the election through institutional means, and promise to concede if the results are not in their favor. State frequently and clearly that public opinion demonstrates an expectation for the peaceful transfer of power. The Constitution is equally clear that citizens have the right to speak, write and assemble peaceably when they object to government action. Do not run unfounded claims that the exercise of these rights is "unpatriotic" or "unAmerican," even if those claims are made by a prominent source. Draw clear lines between peaceful protest and any violence that may be related in time but not in cause.

# Use clear definitions for actions and actors and provide coverage appropriate to those definitions.

For example, there is a <u>difference</u> between paramilitary groups and citizen protestors, so consider specific <u>terminology</u>, such as avoiding the phrase 'militia' when 'domestic terror groups' is <u>more appropriate</u>. Clearly call out state violence and obfuscation by law enforcement entities whose actions run counter to public accountability or service and directly call out any



racial bias, racism, or discriminatory actions in the treatment of protesters. Resist framing unrest as the clash between Side A and Side B. Instead, seek expertise to put protests or civil unrest in context. Use specific details, such as the estimated number of protestors on varying sides, in how many cities, and for how many days. Journalists can put local protests in a broader national context by noting how many protests are occurring in other cities.

# Do not give a platform to individuals or groups who call for violence, spread disinformation, or foment racist ideas.

Covering various consequential actors across the political spectrum is important during a disputed election process. However, individuals and groups should not be given a free means of amplification to promote their agenda or ideas, including any candidate tweets or statements that call for violence, spread disinformation, or promote <u>racist rhetoric</u>. The First Amendment protections of free speech <u>do not extend</u> to incitement of imminent violence.



# Resources for Covering the Election and its Aftermath

**Expert Sources** include the signatories to this statement.

<u>Election Scenario Planning Guide</u> - This document focuses on protecting: staff from harm, the voting process, and the results of the election.

Who Formally Declares the Winner of the US Presidential Election? - Good, straightforward explanation of how the US presidential election works.

<u>Stanford-MIT Healthy Elections Project</u> - A set of resources related to election integrity, safety and access.

<u>The Electoral Integrity Project</u> - A Harvard-based project seeking to describe when elections meet integrity standards and offering thoughts on what happens when elections fail to meet those standards.

<u>The Election Integrity Project</u> - The Center for Journalism Ethics at the University of Wisconsin-Madison offers advice on covering mis-and disinformation related to elections.

<u>Elections During the Covid-19 Pandemic</u> - A special issue of Election Law Journal that provides relevant research on pandemic voting and election administration.



The Big National News Providers Need Threat Modeling Teams - A

PressThink explanation of threat modeling and an argument that newsrooms should include teams dedicated to this like they have teams of pollsters.

How Should Journalists Respond to Trump's Refusal to Commit to a Peaceful Transfer of Power? - Nieman Lab op-Ed on a potential refusal to concede an election with a clear result.

The Election Could be Contested: Here's What Experts Think We Should Know - A Nieman Lab report offering advice to newsrooms about a contested election.

<u>Choose Democracy</u>- Resources on a contested election from the activist Sunrise Movement.

How Fox News Could Influence Election Day 2020 - One of the few pieces to clearly grapple with the role of ruling party media; published by The Atlantic.

<u>Terrorism, Civil War, and Insurgency</u> - From the Oxford Handbook of Terrorism, this document provides definitions relevant to civil unrest and helps clarify concepts of civilian targeting and terrorism.

<u>Political Journalism in a Populist Age</u> - Ten tips for covering populist movements.



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