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If You're Minnesota Nice, You Can Wear Whatever You Want to the Polls

Ilya Shapiro

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This morning, the Supreme Court ruled 7-2 that a Minnesota law banning “political” apparel at polling places violates the First Amendment. This was ultimately an easy case, as it should have been all along, and this decision was predictable after oral argument.

Obviously voters shouldn't be allowed to harass, intimidate, misdirect, or otherwise interfere with other voters – and politicking or electioneering can be disruptive, so there's nothing wrong with restricting that. But merely wearing a “political” hat or T-shirt doesn't do any of those things, which are covered by other laws anyway. As Cato argued in our amicus brief, a complete ban on political expression should be met with the most searching judicial inquiry, regardless of the setting.

In this time when the freedom of speech is becoming an increasingly controversial idea, the Supreme Court did well to remind us that the First Amendment protects expression even and especially when Americans go to vote.

Ilya Shapiro is a senior fellow in constitutional studies at the Cato Institute and editor-in-chief of the Cato Supreme Court Review.