



**House State Government Committee  
The Honorable Seth M. Grove, Chair  
March 25, 2021**

**Written Testimony of Shane Fitzgerald  
Pennsylvania State Editor, USA Today Network**

Good afternoon Chairman Grove, Madame Chair Davidson and Members of the House State Government Committee. My name is Shane Fitzgerald and I serve as the Pennsylvania State Editor for the USA Today Network. Our company represents 260 daily and more than 400 weekly newspapers across the country. The 14 publications I oversee in Pennsylvania include the:

- Bucks County Courier Times ● The Intelligencer ● Beaver County Times
- Chambersburg Public Opinion ● Ellwood City Ledger ● Erie Times-News
- Greencastle Echo Pilot ● Hanover Evening Sun ● Lebanon Daily News
- Pocono Record ● Somerset Daily American ● Tri-County Independent
- Waynesboro Record Herald ● York Daily Record

I have been an executive editor in Pennsylvania in Beaver and Bucks counties since 2013 and have worked and consulted in numerous other states including Texas, New Jersey and Colorado. The USA Today Network is owned by Gannett, which is the nation's largest newspaper media chain, with newspapers in 46 states. We are also proud members of the Pennsylvania NewsMedia Association, which represents our interests at the Capitol.

The media are essential to democracy, and a democratic election is impossible without media. The media acts as a crucial watchdog to elections, safeguarding the transparency of the process.

The media also has other roles in enabling full public participation in elections:

- by educating voters on how to exercise their democratic rights;

- by reporting on the development of an election campaign;
- by providing a platform for candidates to communicate their message;
- by providing a platform for the public to communicate their concerns, opinions, and needs, to the candidates;
- by allowing candidates to debate;
- by reporting results and monitoring vote counting; and
- by scrutinizing the electoral process, including electoral management, to evaluate the fairness of the process;

Media presence at voting and counting centers is critical to preventing electoral fraud, given that full measures protecting freedom of speech are guaranteed, and that media are free to act independently and with impartiality. In the past, the PA NewsMedia Association has advocated for legislation, which provided for expanded media access to polling places. It would permit properly identified media representatives to enter polling places to witness and record events, while ensuring that media presence would not disrupt voting procedures and that individual voters would not be identified without their permission. I would strongly recommend that such legislation be reintroduced and considered in this Committee. The 2020 election has demonstrated that there is strong public mistrust and disagreement surrounding the election and voting processes. Allowing local expanded media access would ensure greater transparency.

The 2020 election was unlike any other in modern history. All eyes were on us, the news media, on Election Day as votes were tallied. For us, it's all hands on-deck for weeks and months leading up to the election. Once candidates are determined, we accumulate and prepare detailed information about them and their issue positions. Through news reports, voter guides and public debates, often hosted by newspapers, readers become informed. Often, they exchange views and opinions through letters to the editor.

On Election Day, we plan for our reporters and photographers to be on-site (pre-Covid) to collect results directly from where ballots are counted. The larger elections are actually simpler; we ramp up even further when we have multiple smaller municipal elections. Sometimes, gathering results is as simple as going to a dedicated website a government entity supports, with the Department of State's site being the most prominent. But other times it can be a more manual process. Some smaller counties and municipalities don't have the infrastructure to disseminate information quickly and often rely on their local media to get the results out in an expedient manner. And sometimes it's not simple at all. I've had staff members track down election officials at local restaurants and other establishments. "We forgot to call you, sorry about that," has happened more than once.

Newsrooms typically have a point person on election night who coordinates input of the election results gathered from multiple places, so we are consistent in our handling of this important data.

The last thing we want to get wrong is an election result, no matter the size. We will stay up late into the evening/early morning because the Internet allows us to publish in real-time. Most of our papers will run results in the printed product, but those are almost always a day later because the counting simply lasts too late in the night for us to publish for print the next morning. Our election results are always our top performing content on our websites as readers come back over and over through the evening for updates.

The most reliable information about election results is the process guided by the Constitution. The Electoral College chooses the president, but that all takes about a month. Over a century ago, news outlets began gathering election results across the nation to get answers for the impatient public who just didn't want to wait that long, according to The Associated Press. The AP has been leading this charge and "counting the vote" since 1848, earning its gold standard for calling races. Many (if not most) news organizations look to AP on election night and share its reporting and election calls with their audiences.

Our local reporters and editors do not "call" winners or losers in elections. We rely on election analysts and researchers with the AP to determine whether candidates for office no longer have a statistical path to victory. Last year, the AP declared winners in more than 7,000 races – starting with the White House and reaching down the ballot to every seat in every state legislature. Race calls made by other organizations have no bearing on when AP declares a candidate the winner. AP's race callers are staff who are deeply familiar with the states where they declare winners. Their exhaustive work begins months before Election Day, as they study election rules, recount requirements and track changes as well as updates to election law.

Every paper I've worked for or consulted with, relies on the AP to make election calls. The integrity of news organizations is on the line when making calls, which is done neither prematurely nor recklessly. The AP approach is deliberate and meticulous. The AP does not make projections or name apparent or likely winners. If race callers cannot definitively say a candidate has won, they do not engage in speculation. Only when AP is fully confident a race has been won, will it make a call. And we won't make the call at our newspapers, unless AP makes the call first.

As you know, Act 77 of 2019 made sweeping changes to the Election Code that our news outlets needed to be aware of so we could provide our vital duties. Not only do we focus on the voting, but also counting, irregularities, court challenges, misinformation, and more. The 2020 General Election was unprecedented because of the record number of mail-in ballots and overall voter participation. Complete vote counts were not tallied for days given the record volume of mail-in ballots. More than half a dozen counties didn't begin counting mail ballots until the day after Election Day.

Reporters cover Election Day and election results with up-to-the-minute developments. Not only do they cover races at all levels of government, some monitor vote tabulation and collect county results.

Newsrooms will also monitor the Department of State website. Our reporters watch from the sidelines as elections officials hand-deliver the electronic data card containing their precinct results, along with supporting paper documentation, to the county, and remain there until after the last officials arrive with the results. If a county has issues posting numbers or there are delays in precinct reporting, our outlets question election officials and then relay that information to reporters and editors who are writing election stories. We provide the AP with the same information.

Newsrooms announce election winners as we have them. In races that are less competitive, particularly where one party dominates in voter registration, candidates in those races can run up margins that are statistically insurmountable, and they may be declared winners before the remainder of mail ballots are counted.

Newspapers are your local media. We are not CNN, MSNBC or Fox News. Yes, we cover the national news...but our focus is local. In some areas of the state, newspapers are the only way for people to get local news.

Thank you for allowing me to discuss the process of how the media announces election results. I am happy to answer any questions you may have.