

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPREME JUDICIAL COURT  
FOR THE COMMONWEALTH OF  
MASSACHUSETTS

No. SJC-12972

RAYLA CAMPBELL, CAROLINE COLARUSSO, JULIE HALL, HELEN  
BRADY

on behalf of themselves and others similarly situated, PETITIONERS

v.

WILLIAM FRANCIS GALVIN,  
in his Official Capacity as Secretary of the Commonwealth,  
RESPONDENT.

APPEAL of RAYLA CAMPBELL  
FROM THE  
SINGLE JUSTICE SESSION

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**BRIEF FOR APPELLANT RAYLA CAMPBELL**

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## TABLE OF CONTENTS

Statement of Issues.....	7
Statement of Case.....	7
Statement of Facts .....	11
A. The 7 <sup>th</sup> District is Different than the 4 <sup>th</sup> , 5 <sup>th</sup> , or 9 <sup>th</sup> Districts.....	11
B. Goldstein on April 16, 2020 –Before It Was Applied in the 7 <sup>th</sup> District .	14
C. April 16 to May 5 – Voter-Made Nominations Under Goldstein .....	16
D. Campbell Did More than Fellow Petitioners to Reach Voters To Make Nominations.....	18
E. May 4 and May 5 – Delivery to Clerks’ Offices Closed to the Public ....	21
F. May 6, 2020 – MA DPH Discloses How COVID-19 Hit the 7 <sup>th</sup> District	25
G. Matching Nominations from Voters in the 7 <sup>th</sup> District With MA Voter IDs Supplied by the Secretary .....	26
H. Campbell Received Nominations from 652 Eligible Voters in the 7 <sup>th</sup> ...	27
I. Events From June 2, 2020 .....	30
Summary of Argument .....	31
Argument .....	34
I. As Applied, the Ruling in Goldstein Discriminated Against Voters and Campbell in the 7 <sup>th</sup> District.....	34
A. The Four Petitioners Have Confirmed the Discriminatory Impact of Goldstein, as applied, on the 7 <sup>th</sup> District – in Stark Comparison to Results in the 4 <sup>th</sup> , 5 <sup>th</sup> , and 9 <sup>th</sup> Districts.....	34
B. Despite A Greater Effort, The Result for Campbell Was Fewer Nominations than Fellow Petitioners in the 4 <sup>th</sup> , 5 <sup>th</sup> , and 9 <sup>th</sup> Districts.....	35
II. The Secretary Has the Argument Backwards – Denying Ballot Access to Voters and Campbell Cannot Withstand Constitutional Scrutiny.....	36
A. Closed Election Offices Are a Patent Obstruction of the Fundamental Right to Access the Ballot. ....	36
B. The Paper Chase the Secretary Defends Offers No Constitutional Basis for Denying Voters the Fundamental Right to Access the Ballot.....	38

C. Six-Hundred Fifty-Two Voters in the 7 <sup>th</sup> District, including Campbell, Have Been Denied Their Fundamental Right to Access the Ballot.....	39
III. As a Matter of Equity, The Court Should Provide Relief to Voters and Campbell, Putting Campbell on the Ballot.....	42
IV. As a Matter of Law, The Court Must Provide Further Relief to Voters and Campbell.....	44
A. Relief is Required Under Massachusetts Law.....	44
B. Relief is Required Under Section 2 of the Federal Voting Rights Act....	45
V. 2 U.S.C. §7 Precludes the Secretary from Concluding the Congressional Election in the 7 <sup>th</sup> District Before Election Day.....	48
VI. The Relief Available to Goldstein Is Available to Campbell.....	50
VII. The Relief Requested is Measured and Appropriate.....	50
Conclusion .....	51
CERTIFICATE OF COMPLIANCE.....	53
CERTIFICATE OF SERVICE .....	53
ADDENDUM.....	(Attached with Table of Contents)

## TABLE OF AUTHORITIES

### CASES

<u>Barr v. Galvin</u> , 626 F.3d 99 (1st Cir. 2012).....	50,51
<u>Chelsea Collaborative, Inc. v. Secretary of the Commonwealth</u> , 480 Mass. 27 (2018).....	44-5, 50
<u>Foster v. Love</u> , 522 U.S. 67 (1997).....	48,49
<u>Goldstein et al v Secretary</u> , SJC-12391, April 16, 2020 (Mass. 2020).....	passim
<u>Goodridge v. Department of Pub. Health</u> , 440 Mass. 309 (2003).....	50
<u>Libertarian Association of Massachusetts v. Secretary of the Commonwealth</u> , 462 Mass. 538 (2012).....	44, 51
<u>Libertarian Party of Me. v. Diamond</u> , 992 F.2d 365 (1st Cir., 1993).....	50
<u>Millsaps v. Thompson</u> , 259 F.3d 535 (6th Cir. 2001).....	48
<u>Thornburg v. Gingles</u> , 478 U.S. 30 (1986).....	47
<u>Voting Integrity Proj. v. Bomer</u> , 199 F.3d 773, 775-76 (5th Cir. 2000).....	48
<u>Voting Integrity Proj. v. Keisling</u> , 259 F.3d 1169 (9th Cir. 2001).....	48

### CONSTITUTIONAL PROVISIONS

Fourteenth Amendment to the United States Constitution.....	31, 32, 33, 35, 45, 47
Massachusetts Declaration of Rights, Article IX .....	31, 32, 33, 35, 43, 44, 51

### STATUTES

2 U.S.C. 7 .....	7, 10, 32, 33, 35, 48, 49, 50, 51
52 U.S.C. §10301 (Voting Rights Act).....	31, 32, 33, 35, 45, 47
G. L. c. 53, § 6.....	42
G. L. C. 214, § 1.....	42, 50

G. L. C. 231A, § 1.....42, 50

## **RULES**

950 CMR 55.03(3)(a)-(g) .....28, 39, 40, ADD/17

## **OTHER AUTHORITIES**

COVID-19 Order No. 13, Office of the Gov., Mass., (Mar. 23, 2020)  
<https://www.mass.gov/doc/march-23-2020-essential-services-and-revised-gatherings-order/download> (closing all non-essential businesses and prohibiting gatherings of more than ten people).....11, ADD/19

COVID-19 Order No. 21, Office of the Gov., Mass., (March 31, 2020), “Order Further Extending Order No. 13 to May 4, 2020 to May 18, 2020.  
<https://www.mass.gov/doc/march-31-2020-essential-services-extension-order/download>.....9, 11, 15, 22, 29, 36, ADD/24

COVID-19 Order No. 30, Office of the Gov., Mass., (April 30, 2020), “Order Further Extending the Closing of Certain Workplaces and the Prohibition on Gatherings of More than 10 People” from May 4, 2020 to May 18, 2020.  
<https://www.mass.gov/doc/signed-second-extension-of-essential-services-order/download> .....11, ADD/27

Map of 7<sup>th</sup> District <https://www.govtrack.us/congress/members/MA/7>...RA-I/439

Massachusetts Department of Public Health Town by Town Report  
May 6, 2020 <https://www.mass.gov/doc/confirmed-covid-19-cases-in-ma-by-citytown-january-1-2020-may-6-2020-0/download>  
.....14, 25, ADD/30, ADD/44

2010 April 1, 2010 Census Quick Facts Online Data  
<https://www.census.gov/quickfacts/fact/table/MA,US/PST045219>  
.....12, 13, 26, ADD/52

2018 U.S. Census Bureau American Community Survey - by Congressional District  
  
District 7 Profile Data US Census Reporter  
<https://censusreporter.org/profiles/50000US2507-congressional-district-7-ma/>  
.....11, 13, ADD/61

District 4 Profile Data US Census Reporter

<https://censusreporter.org/profiles/50000US2504-congressional-district-4-ma/> ..... 11, 13, ADD/68

District 5 Profile Data US Census Reporter

<https://censusreporter.org/profiles/50000US2505-congressional-district-5-ma/> ..... 11, 13, ADD/75

District 9 Profile Data US Census Reporter [To View On-Line]

<https://censusreporter.org/profiles/50000US2509-congressional-district-9-ma/> ..... 11, 13, ADD/82

## STATEMENT OF ISSUES

1. Did the ruling in Goldstein, as applied to voters and Petitioner Campbell create an unconstitutional barrier for voters and Campbell to access the ballot for nomination to the U.S. House of Representatives in the 7<sup>th</sup> District?
2. Should the Court relax the signature requirement to overcome a racial disparity against voters and Petitioner Campbell created through application of Goldstein in the 7<sup>th</sup> Congressional District?
3. Must the Court relax the signature requirement to overcome a racial disparity against voters and Petitioner Campbell created through application of Goldstein in the 7<sup>th</sup> Congressional District?
4. Should the Court direct the Secretary to place Petitioner Campbell on the ballot to fix the unconstitutional harm done to voters and Campbell, as applied, in the 7<sup>th</sup> Congressional District?
5. As applied to Campbell, does 2 U.S.C. §7 preclude the Secretary from concluding a Congressional election before Election Day?

## STATEMENT OF CASE

Nature of the Case. On May 5, 2020, four (4) Republican women filed an Emergency Petition in the Single Justice Session to preserve the record of their signature efforts and seek assistance in the administration of this Court's April 16, 2020 Order in Goldstein et al v Secretary, SJC-12391, April 16, 2020 (Mass. 2020). RA-I/10. The four Petitioners seek access to the ballot for the U.S. House of

Representatives from the 4<sup>th</sup>, 5<sup>th</sup>, 7<sup>th</sup>, and 9<sup>th</sup> Congressional Districts.<sup>1</sup> RA-I/12. Petitioner Rayla Campbell, the Appellant, is one of these four women. Campbell is African American, and a candidate in the 7<sup>th</sup> Congressional District. RA-I/494.

Nature of the Appeal. This appeal arises from the Court’s Order on Reconsideration (RA-I/517) entered in the Single Justice Session on June 12, 2020 (See, RA-I/521 Notice of Appeal) denying Campbell’s Motion to Reconsider filed on June 5, 2020 (RA-I/489), which included Campbell’s Supplemental Memorandum and Second Supplemental Affidavit of Campbell (RA-I/503) filed on June 9, 2020. (RA-I/499). Petitioner Campbell seeks to be placed on the September 1 Republican Primary Ballot. Campbell’s requests on the grounds of (i) equity, (ii) state and federal constitutional law, and (iii) 2 U.S.C §7 were denied by the Single Justice, and are the subject of this appeal. RA-I/521.

Procedural History.

On the day the Petitioner was filed, and after a telephonic hearing, the Single Justice issued an Order allowing the Petitioners to file the “Input Files” (the contents of the data filled in the voters) and “Output Files” (the .pdf nomination papers voters created) who nominated each of the four Petitioners. RA-I/66.

On May 5, links to the “read only” Output Files were submitted by the Petitioners in compliance with the Court’s Order on May 5, 2020. RA-I/68. The Output Files include one “pdf” file for each nomination entered by voters. RA-I/68.

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<sup>1</sup> Two Petitioners – Julie Hall and Caroline Colarusso – will be placed by the Secretary the September primary ballot and have been dismissed. RA-I/515. Helen Brady’s 1,066 certified signatures have been challenged. A ruling of the State Ballot Law Commission has been reported by the Single Justice to the full Court. See, Docket Number SJC12979.

As Ordered, Counsel for the Petitioners examined and confirmed the location and content of the “Input Files” to the Court in a second filing by Affidavit on May 7, 2020. RA-I/68. The “Input Files” created by voters for Rayla Campbell are set forth in Record Appendix II (redacted to make personal information illegible), in two different sort orders, one by sequential document number (RA-II/3) and the second by Last Name, then First Name. RA-II/26. The second sort shows instances where voter submitted more than one nomination, either to correct information, or to redo a signature.<sup>2</sup>

The voter information in the “Input Files” was entered by the voters who nominated Rayla Campbell. RA-I/362 at ¶45 and 46.

On May 8, 2020, as ordered, the Petitioners filed a Memorandum and four Affidavits summarizing the steps they took attempting to print, sort, (exclude as appropriate), and deliver more than 6,400 separate nominations created by voters before 5:00 pm May 5, 2020 to election officials offices across Eastern Massachusetts. RA-I/72 Memorandum; RA-I/82 Affidavits of Milligan RA-I/82; Hall RA-I/110; Campbell RA-I/110; and Colarusso Conformed RA-I/183.<sup>3</sup>

On May 25, 2020, Petitioners Colarusso and Hall filed further affidavits updating the Court on the status of the return of nomination papers from Clerks. Colarusso RA-I/224. Julie Hall RA-I/241.

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<sup>2</sup> Duplicate nominations, even if made by a voter, are only counted once.

<sup>3</sup> These Affidavits describe the Petitioners’ experience delivering papers to 110 election offices closed to the public by an extension of the COVID-19 emergency by the Governor on April 28, 2020 (described in more detail below).

On May 26, 2020, the Secretary filed a Motion to Dismiss Petitioner Campbell for filing less than 1,000 nomination forms with Clerks. RA-I/303. This motion was opposed by Petitioner Campbell on June 1, 2020. RA-I/479.

On May 29, 2020, Petitioner Campbell filed a Memorandum for Further Relief, with supporting Affidavits from Campbell, Milligan, Dugan, and Taylor. Memorandum: RA-I/319; Campbell: RA-I/357; Milligan RA-I/410; Taylor RA-I/440; and Dugan RA-I/444.

On June 2, 2020, the Single Justice Denied Campbell's May 29, 2020 Request for Further Relief. RA-I/485.

On June 3, 2020, the seven Justices of the Supreme Judicial Court issued a letter to all judges, clerks, and lawyers in the Commonwealth confirming the necessity for courts

“to ensure that the justice provided to African-Americans is the same as that is provided to white Americans; to create in our courtrooms, our corner of the world, a place where all are truly equal.” RA-I/497.

The seven Justices of the Supreme Judicial Court confirmed the disproportionate suffering of African-Americans from COVID-19. RA-I/497.

On June 5, 2020, in part because of the Court's June 3, 2020 letter, Petitioner Campbell filed a Motion to Reconsider with the Single Justice. RA-I/489.

On June 9, 2020, following social media reports on Twitter that the incumbent Congresswomen in the 7<sup>th</sup> District had been “re-elected” (RA-I/504), Petitioner Campbell filed a Supplemental Memorandum and Second Supplemental Affidavit, raising 2 U.S.C. 7 as an additional basis for reconsideration. RA-I/499.

On June 12, 2020, a final Order was sent by the Clerk to counsel, denying Campbell's Request on Reconsideration. RA-I/517. Campbell appealed. RA-I/521.

## STATEMENT OF FACTS

Petitioner Campbell is a resident of Randolph, a mother of three small children, and a first-time candidate for federal office. RA-I/357 at ¶¶5-6.

Rayla Campbell is African-American, a citizen. RA-I/494 at ¶¶3-4.

The COVID-19 pandemic and three separate Emergency Orders affected Campbell's effort to secure nomination. ADD/19: March 23 COVID-19 Order No. 13. ADD/24 March 31 COVID-19 Order No. 21. ADD/27 April 28 COVID-19 Order No. 30.

### **A. The 7<sup>th</sup> District is Different than the 4<sup>th</sup>, 5<sup>th</sup>, or 9<sup>th</sup> Districts**

The U.S. Census Bureau 2018 American Community Survey permits a detailed comparison of the make-up of residents in the 4<sup>th</sup>, 5<sup>th</sup>, 7<sup>th</sup> and 9<sup>th</sup> Districts. The 7<sup>th</sup> Congressional District is the only “majority-minority” Congressional District in the Commonwealth. RA-I/494 at ¶6. ADD/62. Generally, ADD/61 to ADD/85.

Data in the table below is taken from the U.S. Census Bureau 2018 American Community Survey. The Race and Ethnicity percentages in this table are set forth at ADD/62, 69, 76, and 83; Median Age is set forth at ADD/61, 68, 75, and 82.

<b>Congressional District</b>	<b>White Population</b>	<b>Non-White Population</b>	<b>Median Age</b>
<b>4th - Hall</b>	82%	18%	41.3
<b>5th - Colarusso</b>	69%	31%	39.1
<b>7th - Campbell</b>	41%	59%	31.7
<b>9th - Brady</b>	85%	15%	45.6

The table below shows Voter Registration in the 7<sup>th</sup> Congressional District: RA-I/415 at ¶32 and RA-I/428 (Upper Right Corner). This data is also verified by Affidavit of Milligan. RA-I/414 at ¶27.

<b>Affiliation</b>	<b>Number of Voters</b>	<b>Percent %</b>
<b>Republicans</b>	20,190	4.38%
<b>Unenrolled</b>	194,696	42.23%
<b>Democrats</b>	240,996	52.27%
<b>Other Parties</b>	NIC	
<b>Total Voters</b>	461,066	

Voter registrations in the 7<sup>th</sup> District do not favor a Republican candidate for Congress. RA-I/416, at ¶37.

A map of the 7th Congressional District shows its unusual shape. RA-I/439. Most of Cambridge is in the District, split with the 5<sup>th</sup> District. Most of Boston is in the District, split with the 8<sup>th</sup> District. Milton is split with the 8<sup>th</sup> District. All of Chelsea, Everett, Somerville, and Randolph are in the 7<sup>th</sup> District. RA-I/358-359, at ¶¶10-20.

Municipalities that are split between two Congressional Districts create confusion in conversations between candidates and voters. During the COVID-19 pandemic, person to person conversations were either difficult for Campbell to have, or did not occur. COVID-19 made it difficult for Campbell to communicate with voters before they made a nomination to confirm they were in the correct Congressional District. RA-I/359, at ¶¶21-23.

Population density in Chelsea, Everett, Boston, Somerville, and Cambridge is more than fifteen (15) times that of the state. RA-I/333-334, summarizing 2010 Census data, in the highlighted rows at ADD/54, 57, and 60. The table below summarizes population and population density for each town in the district from 2010 April 1 census data in the Addendum. RA-I/333-334, summarizing 2010 Census data: ADD/52-60. Population information is taken from the highlighted rows at ADD/52, 55, and 58.

Arithmetic confirms that more than ninety percent (93.7%) of the population of towns in the 7<sup>th</sup> District are residents of Chelsea, Everett, Boston, Somerville, and Cambridge.<sup>4</sup>

<b>7th District Towns</b>	<b>Population, Census (April 1, 2010)</b>	<b>Population Per square Mile</b>	<b>Density Factor Compared to State</b>
Chelsea	35,177	15,902.80	18.9
Everett	41,667	12,165.50	14.5
Randolph	32,112	3,266.40	3.9
Boston	617,594	12,792.70	15.2
Milton	27,003	2,076.40	2.5
Somerville	75,754	18,404.80	21.9
Cambridge	105,162	16,470.20	19.6
Massachusetts	6,547,629	839.4	1.0

Language spoken at home is a characteristic that is significantly different in the 7<sup>th</sup> District than in the 4<sup>th</sup>, 5<sup>th</sup>, and 9<sup>th</sup> Districts.<sup>5</sup> Data in the table below is taken from the U.S. Census Bureau 2018 American Community Survey. ADD/61 to ADD/88. The Language other than English Spoken at Home percentages in this table are set forth at ADD/66, 73, 80, and 86-7; Persons Below the Poverty Line data is set forth at ADD/62-3, 70, 77, and 83.

<b>Congressional District</b>	<b>Language Other Than English Spoken at Home</b>	<b>Persons Below the Poverty Line</b>
<b>4th - Hall</b>	18.3%	6.5%
<b>5th - Colarusso</b>	29.7%	7.0%
<b>7th - Campbell</b>	41.9%	18.2%
<b>9th - Brady</b>	14.3%	9.0%

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<sup>4</sup> Portions of Cambridge, Boston, and Milton are not in the 7<sup>th</sup> District.

<sup>5</sup> Differences in language spoken at home is separately confirmed from 2010 Census data. RA-I/334-335, summarizing Census data at ADD/53, 56, 59, and 62.

The differences in these characteristics between the 7<sup>th</sup> District, on the one hand, and the 4<sup>th</sup>, 5<sup>th</sup>, and 9<sup>th</sup> Districts are significant.

**B. Goldstein on April 16, 2020 –Before It Was Applied in the 7<sup>th</sup> District**

On April 16, 2020, the Court “adopted the Secretary’s suggestion” to cut the number of required nomination signatures for the September 1 primary by one-half and to allow an electronic nomination process to be used. Goldstein, supra, at 29.

The Goldstein ruling applied, among other offices, to 160 seats in the Massachusetts House of Representatives; 40 seats in the Massachusetts Senate; 9 seats in the U.S. Congress, and 1 seat in the U.S. Senate. At least 210 elections were covered. There is no evidence that the 7<sup>th</sup> Congressional District was given particular consideration by the Court or the Secretary.

As of April 16, residents of the Commonwealth had yet to receive actual data showing how COVID-19 struck across the state. Town by town data showing the number and rate of COVID-19 cases made available from the Mass Department of Public Health on May 6, 2020, 20 days after Goldstein was decided, and one day after the nomination period closed. ADD/27-40. A town by town ranking by the rate of COVID-19 cases could then be made. ADD/41-48.

The possibility of a disparate impact of COVID-19 in election districts across the state was not discussed, mentioned, or considered in Goldstein, supra. More particularly, the Goldstein decision does not consider whether differences in the demographics of election districts, in combination with a disparate impact of COVID-19, might create a racially disparate impact upon voters and candidates in election districts like the 7<sup>th</sup> District.

When Goldstein was decided, the expected re-opening date set forth in the Governor’s March 31, 2020 COVID-19 Emergency Order No. 21 was May 4, 2020.

ADD/24 at ADD/26. The Goldstein Court appears to have expected the May 4, 2020 reopening date to hold. The Court moved the date for submission of papers to more than 200 state offices from April 28 – a date when election offices would still be closed – to May 5, 2020, one day after election offices were then expected to be open. Goldstein, supra, at 24-25. The Secretary opposed extending the date beyond May 5, 2020 as “unworkable.” Goldstein, supra, at 24. At the time Goldstein was decided, the Court and the Secretary expected the COVID-19 Emergency to have ended, with offices reopening on May 4, and papers due in the Clerk’s offices on May 5, 2020.

The Court did not change either of the submission dates for federal office. The date to submit to clerk remained May 5, 2020. The date to submit certified forms to the Secretary remained June 2, 2020 to the Secretary. Goldstein, supra, at 24.

On Thursday, April 28, 2020, the Governor extended the end of the Emergency from May 4, 2020 to May 18, 2020.<sup>6</sup> ADD/24. The Governor’s April 28 Extension disrupted what was expected to be a normal process for delivery, discussion, correction, and exchange of nomination papers between clerks and candidates on May 4 and May 5, 2020 – with election offices open to the public.<sup>7</sup>

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<sup>6</sup> State House seats typically include one or a few towns. Logistics remained simple. This is not true for federal candidates, with many clerk’s offices to visit over large distances. The Governor’s April 28, 2020 order fell disproportionately hard on federal Republican candidates – NONE of whom are incumbents.

<sup>7</sup> This disruption is described in Section E., below.

## **C. April 16 to May 5 – Voter-Made Nominations Under Goldstein**

### **1. The Software Application – Voter Input Files and Nomination Output Files**

Each of the four Petitioners used the same software application to advise voters of their candidacy and to arrange for voters to fill-in and submit nomination forms in the 4<sup>th</sup>, 5<sup>th</sup>, 7<sup>th</sup>, and 9<sup>th</sup> Congressional Districts. RA-I/228-29 at ¶¶7-8. This technology allowed each Voter to make and store a permanent record of the information the voter entered. RA-I/367-268, at ¶¶84-90.

The resulting input file for each of the Petitioners has been described throughout this proceeding as the voter “Input Files.” The nomination papers printed for submission to closed have been described throughout this proceeding as the voter “Output Files”. Pursuant to Order on May 5, 2020, secure web “links” to the Input Files and the Output Files were filed with the Court. The Output Links were filed on May 5, 2020. RA-I/68. The Input Links were filed on May 7, 2020. RA-I/70.

Redacted versions<sup>8</sup> of the Input Files created by voters for Campbell are set forth in Appendix II, in two different sorts. The first sort is by Document # (chronology). RA-II/3. The second sort is by Last Name, then First Name (alphabetical). RA-II/26. The Voter information in the Input Files comes directly from the voters. RA-I/367-268, at ¶¶84-90. The Input Files contain the same voter information as the Output Files. These files are different manifestations of the same data. The data entered by voters into the Input files landed untouched in this Court as part of the Output Files on May 5, 2020. RA-I/419 at ¶¶56-57, 65.

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<sup>8</sup> Email, telephone, and IP Addresses entered by voters have been made illegible. Unredacted versions were filed with the Court on May 7, 2020.

The voter Input Files and the nomination Output Files are mutually corroborating. The information in one mirrors the other.<sup>9</sup>

## **2. How A Voter Made a Nomination Using the Software Application**

The level of attention – and intention – required by a Voter to create each nomination form in the Output Files is high. RA-I/367 at ¶84.

To make each nomination, the voter must type their first and last name, address, town, state, country, phone number, and email address, and then review a “pro forma” image of the entire nomination form before making the effort to sign the form and then click “Submit”. These actions must all be completed in order for a Voter to make a nomination. RA-I/367 at ¶85.

Campbell entered signatures herself from different devices and confirmed that the identity of the device in the Voter’s hand made a difference how big the “box” for signature was, and how easy the signature was to make with a mouse, a stylus, or a finger. RA-I/367 at ¶86. Upon clicking “Submit” the record of actions the Voter took to make the nomination was recorded in the Input Files, and a pdf copy of that voter’s Output File – his/her nomination – was sent by email to the Voter. RA-I/367 at ¶87.

The extensive number of actions taken by each Voter in making a nomination shows a high level of intention to nominate Campbell. RA-I/368 at ¶88.

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<sup>9</sup> Note: This can be verified for any nomination paper in the Record. Any Output File [nomination paper] can simply be compared to the data entered by the Voter in the Input Files. Robert Roth, identified above, is an example. His Output File can be found at RA-I/380-381. The information he entered in the Input Files can be found in the alphabetical sort of the Input Files at RA-II/43. He submitted his nomination at 15:48 on May 4, 2020. The information Roth entered into the Input File matches the information printed on the Output File. The information must match. The input information is the source of the output information.

Differences in devices created differences in the ability of the voter to use a mouse, a stylus, or a finger to sign. These differences are apparent in how the images of signatures appear in the printed versions of the Output Files. RA-I/368 at ¶89.

Included in the Input Files are image files showing the effort the voter made with a mouse, a stylus, or a finger to produce a signature. RA-I/368 at ¶90. The image files are stored in the Column labeled “Signature.” RA-II-3-48.<sup>10</sup>

#### **D. Campbell Did More than Fellow Petitioners to Reach Voters To Make Nominations**

All four Petitioners used similar techniques to reach Unenrolled and Republican voters in their respective Districts, including blast emails to GOP lists, automated in-person phone calls to voters using a GOP system called “RedDialer,” fully automated “robo-calls” to leave messages with voters, text messaging, and Facebook Ads. RA-I/410-412 at ¶¶3-19. RA-I/360-362 at ¶¶37-44. All four Petitioners used the tools available to the MA GOP and to candidates generally to find and point eligible voters to the respective nomination pages of the Petitioners. RA-I/410 at ¶2.

All these activities were directed at advising voters in the 4<sup>th</sup>, 5<sup>th</sup>, 7<sup>th</sup>, and 9<sup>th</sup> Districts: (i) that digital signatures were permitted, (ii) nomination forms were available on-line, and (iii) how to nominate candidates. RA-I/410 at ¶4.

The overall effort included five major components: (i) group emails (or so-called “blast” emails) to registered voters in these districts and in the Commonwealth; (ii) automated dialing using the MA GOP’s system called “Red Dialer”; (iii) “robo calls” – a fully automated dialing system to leave pre-recorded

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<sup>10</sup> These cannot be opened by a user. Column width is narrow to obscure them.

messages with voters; (iv) text messaging to cell phones registered to residents, and (v) Facebook ads to reach voters and residents on social media. RA-I/411 at ¶5.

Petitioner Campbell used all the tools reasonably available to her in a coordinated effort to collect signatures in the 7<sup>th</sup> District. RA-I/360-62, at ¶¶37-44. Throughout the 19 days of the “dry” nomination effort, Campbell felt she was “always behind her fellow Petitioners in the number and pace of signature collection.” RA-I/361, at ¶40.

Of the four Petitioners in this case, Petitioner Campbell was the only candidate who used all five of these systems, in addition to being the only one of the Petitioners to collect more than a handful of “wet” signatures by herself. RA-I/361 ¶38. RA-I/412-13 at ¶16. Petitioner Campbell used each of these systems extensively. RA-I/413 at ¶17.

Campbell made a greater effort in the 7<sup>th</sup> District to ask voters to make nominations than Petitioners Hall, Colarusso, and Brady, respectively in the 4<sup>th</sup>, 5<sup>th</sup>, and 9<sup>th</sup> Districts. Petitioner Campbell was the only one who devoted a substantial effort to “wet” signature collection. RA-I/412-13, at ¶16. Petitioner Campbell collected 252 “wet” signatures. RA-I/359-60, at ¶¶24-36. More than 95% of the “wet” signatures collected by Petitioner Campbell were in Randolph and Boston. RA-I/360, at ¶28. “Wet” signature collection was extremely difficult. RA-I/360, at ¶¶30-34.

The table below summarizes the extra efforts undertaken by and for Petitioner Campbell. RA-I/412 at ¶15. RA-I/360-61 at ¶37.

<b>Candidate</b>	<b>Campbell</b>
<b>Blast Emails</b>	3 Blast Emails to Entire State (55,000 emails) directing recipients to all four of the Petitioners' nomination web pages. 5 more Blast Emails to the 7 <sup>th</sup> District email addresses directing recipients to Petitioner Campbell's nomination web page. (only 3 more were sent to the 4 <sup>th</sup> , 5 <sup>th</sup> , and 9 <sup>th</sup> Districts)
<b>Automated Dialing (Red-Dialer)</b>	5,633 households called using Red Dialer, with 6,015 resident voters.
<b>Robo Calls</b>	5,475 Robo Calls Made in the District
<b>Text Messaging</b>	38,496 Text Messages to Cell Phones Registered in the District
<b>Facebook Ads</b>	Facebook Ads pointing voters to Petitioner Campbells nomination pages Every Day from April 28 through May 5, 2020 Second Ad for Campbell, Every Day from April 30 through May 5, 2020.

Over the last few days of the nomination period, Campbell also arranged for 38,496 Text messages to go out to cell phones registered in the District, more than two (2) times as many as Petitioner Brady, and sixteen (16) as many as Petitioner Hall. RA-I/412 at ¶19. Petitioner Colarusso did not send text messages. RA-I/229 at ¶15.

These activities were facilitated with help from the MA GOP. RA-I/410-13 at ¶¶3-19.

Petitioner Colarusso made Robo-calls for Campbell. RA-I/229 at ¶12.

Campbell received calls from voters in the 7<sup>th</sup> District who said they did not have internet access, and wanted Campbell to mail nomination papers to them. There was insufficient time for Petitioner Campbell to meet these requests through the mail. RA-I/361-62, at ¶44.

The number of “dry” signatures collected by Petitioner Campbell in the 7<sup>th</sup> District remained substantially lower than the number of “dry” signatures collected by Petitioners Hall, Colarusso, Brady in the 4<sup>th</sup>, 5<sup>th</sup>, and 9<sup>th</sup> Districts.

The table below shows these differences. RA-I/413 at ¶21.

<b>Candidate</b>	<b>District</b>	<b>Dry Nominations Collected on Web</b>	<b>% Difference Above 7th District</b>
<b>Campbell</b>	7th	1,066	NA
<b>Brady</b>	9th	1,570	47.3%
<b>Hall</b>	4th	1,807	69.5%
<b>Colarusso</b>	5th	2,179	104.4%

With 252 “wet signatures” Campbell collected 1,318 signatures.<sup>11</sup>

#### **E. May 4 and May 5 – Delivery to Clerks’ Offices Closed to the Public**

Petitioners printed and delivered nomination forms to election offices that were closed to the public across the 4<sup>th</sup>, 5<sup>th</sup>, 7<sup>th</sup>, and 9<sup>th</sup> Districts. The Petitioners’ filings on May 8, 2020, ordered by the Court on May 5, 2020 describe their experience delivering nominations. RA-I/72 Memorandum; RA-I/82 Affidavits of Milligan RA-I/82; Hall RA-I/110; Campbell RA-I/110; and Colarusso Conformed RA-I/183.

Attachment 1 to each of these Affidavits of Colarusso, Hall, Campbell, and Milligan provide a detailed summary of interactions between the candidates, their runners, and clerks on May 4-5. For the 7<sup>th</sup> District “Visit by Visit Reports” are in

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<sup>11</sup> Many nominations were out of district. These were not submitted by Campbell.

Attachment 1 to the Campbell Affidavit. RA-I/164-180.<sup>12</sup> A standard form was filled out for each such interaction, with the same information available from each Town, and special circumstances recorded and described. Attachment 1 “Visit by Visit” reports also include photographs. RA-I/164-180.

The Governor’s April 28, 2020 Order (ADD/24, 26) extended the COVID-19 shut-down from May 4 to May 18, leaving election offices closed to the public. The exchange of nomination papers between clerks and candidates was altered in material ways. There were different “rules of engagement” in each Municipality. RA-I/244 at ¶32.<sup>13</sup> The nomination form required by the Secretary contains mandatory “Instructions to Registrars” on the back side. RA-I/380-1.

- You must time-stamp or write-in date and time these papers are received.
  - Inform the candidate if the district designation is incorrect and allow the candidate to correct it *before certifying names*. (emphasis in original)
- RA-I/381.

The rejection of a nomination by the Boston clerk provides an example of the confusion and mistakes which flowed from the Governor’s April 28 Extension of the Emergency from May 4, 2020 to May 18, 2020. material alterations. RA-I/366 at ¶77, RA-I/380-1. Mr. Roth’s nomination was mistakenly dropped off by Campbell in Boston. Had the Clerk in Boston be able to comply with the second instruction, Mr. Roth’s nomination would have been returned to Campbell for filing in Cambridge – before the clerk in Boston rejected it. RA-I/366 at ¶¶75-77.

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<sup>12</sup> Attachment 1 references to “Visit by Visit Reports” from the other Petitioners: Hall– 4<sup>th</sup> District – RA-I/115-157. Colarusso – 5<sup>th</sup> District RA-I/189-218. Milligan 9<sup>th</sup> District RA-I/88-109.

<sup>13</sup> Colarusso, with long service to the U.S.P.S. describes this as a “paper chase” – a failure to establish standard operating procedures in advance. RA-I/232 ¶¶35-46.

The image below is taken from RA-I/89, and is the “Visit by Visit Report” for Sandwich from the 9<sup>th</sup> District (Milligan Affidavit). In Sandwich, no receipt was available. Forms were not time stamped for the runner. The runner was not given an opportunity to correct forms while the runner was there. RA-I/89

Receipt Avail for # Forms Submitted?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Each Form Time Stamped for You?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Were you given an opportunity to correct forms while you were there?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

With offices unexpectedly closed and face-to-face drop-off curtailed, these two instructions from the Secretary were not generally followed. Registrars did not generally time-stamp or write in date and time as papers were came from the candidate. Nominations were typically dropped off without communication among the candidate, their runners, and clerks. RA-I/82 Affidavits of Milligan RA-I/82; Hall RA-I/110; Campbell RA-I/110; and Colarusso Conformed RA-I/183.

The second instruction was not generally followed for the same reason. Candidates were not given the opportunity required by the Secretary for Registrars to correct such mistakes before certification. RA-I/162-3 at ¶¶ 23 to 33. The disruption this caused to Campbell is described below. Petitioner Colarusso experienced the same problems in the 5<sup>th</sup> District. RA-I/233 at ¶46. Petitioner Hall had the same problems in the 4th District. RA-I/244-45 at ¶¶33-40. RA-I/253-268.

In Milton, a receipt was not available, forms were not time stamped, and Campbell had no opportunity to correct forms while she was there. RA-I/165. In Boston and in Randolph, on mid-day visits, Campbell received a receipt for the number of forms dropped, but forms were not time stamped for her, and she was no opportunity to correct forms while she was there. RA-I/167 and RA-I/168. During a second late afternoon visit to Boston, Campbell received a receipt for the number

of forms dropped and forms were time stamped for her, but she was not given an opportunity to correct forms while there. RA-I/169.

In Somerville, during mid-day and early afternoon visits, a receipt was not available, forms were not time stamped, and Campbell's runners, Evan Lips and Debby Dugan, had no opportunity to correct forms while either of them was there. RA-I/174. RA-I/177. In Chelsea and in Everett, a receipt for the number of forms was available, but forms were not time stamped, and Campbell's runner, Todd Taylor, had no opportunity to correct forms while there. RA-I/178. RA-I/179.

In Cambridge, there was confusion about where to drop the nomination forms, because offices were closed to the public. No instructions could be found by Campbell's runners on the doors of City Hall as to where to drop nomination papers. No instructions could be found on the internet. RA-I/175. Numerous nominations were delivered by Campbell's runner to a Cambridge City Hall Drop Box in which other papers had been filed for the City Clerk. RA-I/175. RA-I/163 at ¶¶ 27 to 29.

Only one day before, the same Cambridge Clerk told Petitioner Colarusso that her office was closed on Monday May 4 and that she could not deliver papers on that day, in direct contradiction with the Secretary's advice to Colarusso over the phone that clerks' office were "open." RA-I/234 ¶¶ 48-51.

Petitioners, including Campbell, did what they could to carry the nomination papers made by voters through the paper chase to clerks and then to the Secretary. RA-I/84-86 at ¶¶ 5, 6, 17, 18.

Dealing with different rules of engagement for every clerk, across long distances caused disruption and resulted in forty-two (42) nomination papers for Campbell that could not be batch printed in Kingston for delivery to clerks. RA-I-369-70 at ¶¶ 97-104. These forty-two (42) nominations were filed with the Court on

May 5, 2020. RA-I-370 at ¶103. The Voters that made these nominations are listed. RA-I/437 Affidavit of Milligan. See, also, RA-I/377 Affidavit of Campbell. These nominations were made by voters with a MA Voter ID that match to a voter by name and zip code in the 7<sup>th</sup> District. RA-I/414 at ¶30. RA-I/370 at ¶102.

Petitioners maintained and filed secure links to the “Output Files” (the voter-made nomination forms) with the Court on May 5, 2020. RA-I/68. All nomination papers that voters generated on-line were filed on May 5, 2020. RA-I/68. The “Input Files” were filed on May 7, 2020. RA-I/70. RA-II/3. RA-II/26.

#### **F. May 6, 2020 – MA DPH Discloses How COVID-19 Hit the 7<sup>th</sup> District**

On May 6, 2020, the Massachusetts Department of Public Health (MA DPH) released, for the first time, Town by Town statistics for the number of COVID-19 cases and the rate of such cases per 100,000 population. Petitioner Campbell could now see how hard the 7<sup>th</sup> District was hit by COVID-19. ADD/30. The Addendum includes a sort of towns by rate of COVID cases in descending order. ADD/44-51.

The table below displays May 6 DPH data for 7<sup>th</sup> District towns. The column Compared to State Rate is an arithmetical calculation of the ratio to the State rate.

<b>Town</b>	<b>Count</b>	<b>Rate (per 100,000)</b>	<b>Compared to State Rate</b>	<b>Town Rank (of 351 Towns)</b>
Chelsea	2,244	5,957.85	5.76	<b>1</b>
Everett	1,212	2,497.10	2.42	<b>4</b>
Randolph	735	2,147.93	2.08	<b>6</b>
Boston	10,729	1,543.81	1.49	<b>18</b>
Milton	265	925.61	0.90	70
Somerville	660	862.31	0.83	83
Cambridge	826	732.36	0.71	101
<b>State Total</b>	<b>72,025</b>	<b>1,033.83</b>	<b>1.00</b>	

The table below reports 2010 U.S. Census population in the 7<sup>th</sup> District. Population information is taken from the highlighted rows at ADD/52, 55, and 58.<sup>14</sup>

<b>7th District Towns</b>	<b>Population, Census, April 1, 2010</b>	<b>% of Total Population</b>
Chelsea	35,177	3.8%
Everett	41,667	4.5%
Randolph	32,112	3.4%
Boston	617,594	66.1%
Milton	27,003	2.9%
Somerville	75,754	8.1%
Cambridge	105,162	11.3%
<b>Total</b>	<b>934,469</b>	<b>100.0%</b>

Nearly 78% of the population in the 7<sup>th</sup> Congressional District are residents of Chelsea, Everett, Randolph, and Boston. Their rank in the MA DPH rate of COVID-19 cases as of May 6, 2020 was 1<sup>st</sup>, 4<sup>th</sup>, 6<sup>th</sup>, and 18<sup>th</sup>, respectively.

#### **G. Matching Nominations from Voters in the 7<sup>th</sup> District With MA Voter IDs Supplied by the Secretary**

As in every state in America, voter registration information is publicly available from cognizant public officials. In Massachusetts, it is available from the Secretary of State. RA-I/413-14 ¶23.

MA GOP and other political parties regularly obtain, update, and use this information on a regular basis. RA-I/414 ¶24.

The Republican Party maintains this data in what is called the GOP Data Center, to which MA GOP employees have access. RA-I/414 ¶25.

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<sup>14</sup> Percentages are arithmetical calculations.

This data is coordinated by the Republican National Committee for all the states. The data in the GOP Data Center is part of the data in the national GOP Data Center. RA-I/414 ¶26.

The data in the GOP Data Center includes the unique MA Voter ID number assigned by the Secretary to each registered voter in the Commonwealth. RA-I/414 ¶28.

The MA Voter ID assigned by the Secretary of State to each registered voter was used to compare and match the records in the Input Files created by voters at the time they nominated one of the Petitioners, by First Name, Last Name, and Zip Code. RA-I/414 ¶30. This match was also used to confirm and match voter records in the Input Files to the proper Congressional District. RA-I/414 ¶30.

The GOP Data Center information is substantially accurate, and includes MA Voter ID information from the Secretary. RA-I/414 ¶¶31, 29.

#### **H. Campbell Received Nominations from 652 Eligible Voters in the 7th**

Six-Hundred and Fifty-Two (652) Republican and Unenrolled citizens with Voter ID's assigned by the Secretary nominated Petitioner Campbell before 5:00 pm on May 5, 2020.<sup>15</sup> RA-I/417-18 at ¶¶ 39-45. See, Attachment 2: RA-I/433.

Voters in the 7<sup>th</sup> District made one-hundred and eight (108) more nominations than reported by Tassinari in her May 26, 2020 Affidavit. RA-I/317 at ¶6. The one-hundred eight (108) voters who made these nominations are identified in two attachments to the Campbell and Milligan Affidavits of May 29.

These records are:

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<sup>15</sup> Forty-three (43) more (invalid) nominations came from West Roxbury (Boston) and Milton. Part of Milton and all of West Roxbury are in the 8<sup>th</sup> District.

Attachment 5: Milligan – RA-I/436; Campbell - RA-I/376.

Attachment 6: Milligan – RA-I/437; Campbell - RA-I/377.

All but four (4) of the one-hundred and eight (108) additional nominations were electronic, timely filed with the Court on May 5, 2020 by Order. RA-I-68. The Submission Date (date, hour, minute) in Attachments 5 and 6 confirm that none of the electronic nominations were made after 5:00pm on May 5, 2020 – the deadline for nominations. RA-I/436-7. RA-I/376-7.

All one-hundred four (104) voters listed in Attachments 5 and 6 who made their nominations electronically manually entered their name, address, telephone, and email address into the voter Input Files, which were then printed “untouched” as nomination forms from the Output Files. RA-I/420 ¶65.

All one-hundred four (104) voters entered their name and address into the voter Input Files.<sup>16</sup> RA-I/367 at ¶¶84-88. The Secretary’s own regulations provide that all one hundred four (104) voters who printed their name entered a valid signature. 950 CMR 55.03(3)(g). ADD/17. Under these regulations, every voter who entered his/her name into the application printed his/her name into the Input Files and onto the nomination form (the “Output Files”). Printing your own name is as a valid “signature.” ADD/17.

All one-hundred eight (108) voters identified in Attachments 5 and 6, above, are matched to eligible voters from the 7<sup>th</sup> District with a MA Voter ID issued by the Secretary. RA-I/419-20 at ¶¶ 53-68.

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<sup>16</sup> Typing information into an empty cell of a data base is printing information into that cell. An empty cell becomes a cell with data in it, because the user entered information into that cell. The physical characteristic of the cell is changed. It has been printed.

The four (4) “wet” signatures included among these one hundred eight (108) voters also match to eligible voters from the 7<sup>th</sup> District – 2 each from Chelsea and Cambridge – with a unique MA Voter ID issued by the Secretary. RA-I/419 at ¶59.

The 652 eligible voters who nominated Campbell live in neighborhoods, towns, and cities all across the 7<sup>th</sup> District. Attachment 3 to the Campbell and Milligan Affidavits shows district-wide support. RA-I/434. RA-I/374. RA-I/417-18 at ¶¶46-52.

The detail supporting the additional of 108 nominations is set forth in the record. The record shows that sixty-six (66) nominations by voters identified in Attachment 5 should be corrected. RA-I-376. The corrections required include signature rejections inconsistent with the Secretary’s own regulations, late rejections, and inability to physically deliver signatures caused by closed clerk’s offices. RA-I/419-20 at ¶¶61-68. RA-I/363-67 at ¶¶53-83.

Included in the group of one hundred and eight (108) additional nominations are forty-two (42) nominations listed in Attachment 6. RA-I/437. RA-I/377. Nomination forms from these voters could not be batched printed in Kingston, MA and then delivered by hand under COVID conditions to clerks in the 7<sup>th</sup> District before the 5:00 pm May 5, 2020 deadline. RA-I/369-70 at ¶¶97-104.

The Extension of the Emergency from May 4 to May 18 by the Governor caused election offices to stay closed and led to mistakes and miscommunications. A clerk in Cambridge refused to review nominations timely delivered to the “wrong” a public drop box at Cambridge City Hall. RA-I/365 ¶¶68-73. RA-I/445 ¶¶11-17. RA-I/447-48. RA-I/449-76. RA-I/477-78.

## **I. Events From June 2, 2020**

By Order dated June 2, 2020, the Single Justice denied Campbell's request for further relief. RA-I/485.

On June 3, 2020, the seven Justices of the Supreme Judicial Court issued a letter to all judges, clerks, and lawyers in the Commonwealth confirming the necessity for courts

“to ensure that the justice provided to African-Americans is the same as that is provided to white Americans; to create in our courtrooms, our corner of the world, a place where all are truly equal.” RA-I/497.

The seven Justices of the Supreme Judicial Court confirmed the disproportionate suffering of African-Americans from COVID-19. RA-I/497.

On June 5, 2020, in part because of the Court's June 3, 2020 letter, Petitioner Campbell filed a Motion to Reconsider with the Single Justice. RA-I/489.

On June 6, 2020, three “tweets” on social media asserted that the “GOP failed to file any candidate [in] 4 of the 9 congressional districts.” and that:

“... #MA07 Rep. Ayanna Pressley (D) ha[s] won re-election without any opposition in the primary or general election.” (emphasis added)

RA-I/504-5 at ¶¶2-5.

On June 9, 2020, Petitioner Campbell filed a Supplemental Memorandum and Second Supplemental Affidavit, raising 2 U.S.C. 7 as an additional basis for reconsideration. RA-I/499.

On June 12, 2020, a final Order was sent by the Clerk to Campbell's counsel, denying Campbell's Request on Reconsideration. RA-I/517.

On June 19, 2020, Campbell appealed. RA-I/521.

## SUMMARY OF ARGUMENT

Petitioner Campbell does not contend Goldstein was wrongly decided. In the urgency of the moment, a pandemic, the legislature, and a rigid statutory scheme were about to deny access to the ballot in violation of Article 9 of the Declaration of Rights, the 14<sup>th</sup> Amendment, and the federal Voting Rights Act. The Court acted to preserve a foundational element of our republic – access to the ballot in support of contested elections.

As the third branch of constitutional government in Massachusetts, the Court should not have been put in a situation where it had no choice but to act.

But, the situation required action, and the Court acted. Urgency compelled Goldstein, for which Campbell is grateful. The Court acted in equity and as required by applicable constitutional and statutory law. The Court expected the Emergency to lift on May 4, 2020, and adjusted the dates for state filings to match that for federal filings – May 5, 2020.

Campbell's appeal arises from the application of Goldstein to voters, and her, in the 7<sup>th</sup> District. (pp. 11-29) Campbell contests Goldstein, as applied. In the urgency of the moment, the disparate discriminatory future impact of the decision upon voters in the 7<sup>th</sup> District was neither known nor considered.

The discriminatory, disparate impact of Goldstein, as applied, to the 7<sup>th</sup> District has now emerged, and is at the core of this appeal. The Court, in effect, took judicial notice of this discriminatory impact in a letter to the judicial branch and admitted attorneys on June 3, 2020. The Justices' confirmed what MA DPH first disclosed on May 6, 2020, one day after the nomination period lapsed. The relatively harsh impact of COVID-19 on minorities, specifically African-Americans, in the 7<sup>th</sup>

District, a “majority-minority” District, is undisputable. Petitioner Campbell is African-American. (p. 11, p. 30)

The four Petitioners – three women in majority-white Districts, and one African-American woman in a “majority-minority” District – have independently corroborated the disparate, discriminatory results of Goldstein, as applied. The other Petitioners were able to secure sufficient nominations from voters to meet the Goldstein requirement. In the 4<sup>th</sup>, 5<sup>th</sup>, and 9<sup>th</sup> Districts, COVID-19 was not as prevalent, population density is much lower, the poverty rate is much lower, and many fewer people spoke a language other than English at home. Campbell did not meet Goldstein’s signature requirement, even though Campbell made a greater effort than her fellow Petitioners to obtain nominations. (pp. 11-29)

As applied, Goldstein discriminated against six-hundred and fifty-two voters, including Campbell, in the 7<sup>th</sup> District by violating their fundamental constitutional right to access the ballot for the U.S. House. These are violations of Article IX of the Declaration of Rights, the 14<sup>th</sup> Amendment, Section 2 of the Voting Rights Act, and 2 U.S.C. 7. (pp. 34-49)

The Governor’s decision on April 28, 2020 to extend the Emergency beyond May 4 imposed more unexpected burdens – a disruptive paper chase under COVID-19 conditions among election officials, candidates, and volunteers that precluded more voters from access to the ballot. (pp. 21-25)

Campbell secured six-hundred fifty-two (652) nominations from neighborhoods, towns, and cities across the 7<sup>th</sup> District. Campbell did more than her fellow Petitioners to secure nominations. (pp. 18-21) This is one-hundred and eight (108) more than acknowledged by the Secretary. One-hundred four (104) of the one-hundred and eight (108) difference are nominations by voters who are matched

to eligible voters in the 7<sup>th</sup> District with a unique MA Voter ID provided by the Secretary. These voters typed their names into the voter Input Files. RA-II/3. These were used, without alteration, to print the nomination forms filed with the Court on May 5, 2020 (“Output Files”). RA-I/68. These forms have valid “signatures” under the Secretary’s own rules. Denying access to the ballot to these voters does not pass strict scrutiny. (pp. 26-28)

The public policy benefit from placing Campbell on the ballot originates from the highest source – Article IX of the Declaration of Rights, and is echoed in the 14<sup>th</sup> Amendment, the Voting Rights Act, and 2 U.S.C. 7. There is no serious debate about what public policy is in the circumstances of this case. Only public benefit will flow from placing Petitioner Campbell on the ballot. Contested elections are at the core of our constitutional structure. A contested election cannot “harm” voters, the Secretary, or anyone. (pp. 44, 52, 53)

The Court reluctantly stepped into the quandary left by the legislature. As applied, the result was a constitutional violation. The Court has an obligation to fix the violation, as equity and law require. Campbell should be placed on the September 1 Republican primary ballot:

- (i) as a matter of equity applying the logic of Goldstein,
- (ii) as required by Massachusetts constitutional law under Article 9 of the Declaration of Rights and the holding in Goldstein,
- (iii) as required by Section 2 of the Voting Rights Act, as amended, and the Fourteenth Amendment to which the Voting Rights Act relates, and
- (iv) as required by 2 U.S.C §7, which precludes the Secretary from concluding the Congressional Election in the 7<sup>th</sup> District before the federally mandated Election Day. (pp. 34-53)

## ARGUMENT

### **I. As Applied, the Ruling in Goldstein Discriminated Against Voters and Campbell in the 7<sup>th</sup> District.**

The relatively harsh impact of COVID-19 on minorities, specifically African-Americans, in the 7<sup>th</sup> District, a “majority-minority” District, is undisputable. The discriminatory, disparate impact of Goldstein, as applied, to the 7<sup>th</sup> District has now emerged, and are at the core of this appeal. The Court, in effect, took judicial notice of this discriminatory impact in a letter to the judicial branch and admitted attorneys on June 3, 2020. (p. 9) The Justices’ confirmed what MA DPH first disclosed on May 6, 2020, one day after the nomination period lapsed. (pp. 25-27)

Petitioner Campbell is African-American. The 7<sup>th</sup> District is a “majority-minority” Congressional District, the only “majority-minority” Congressional District in the Commonwealth. (p. 11)

#### **A. The Four Petitioners Have Confirmed the Discriminatory Impact of Goldstein, as applied, on the 7<sup>th</sup> District – in Stark Comparison to Results in the 4<sup>th</sup>, 5<sup>th</sup>, and 9<sup>th</sup> Districts.**

This case is unusual, in that the discriminatory impact of a Court ruling, as applied, is directly corroborated through an almost laboratory-like comparison of how each of the Petitioners performed in the 4<sup>th</sup>, 5<sup>th</sup>, 7<sup>th</sup>, and 9<sup>th</sup> Districts. (pp. 21-25) What makes the situation unique is that there is direct evidence that basic differences in race and ethnic origin, population density, COVID-19 severity, percentage of households in which a language other than English is spoken at home, and percentage of population below the poverty line are available to confirm the discriminatory disparate impact Goldstein as it was applied voters, including Campbell, in the 7<sup>th</sup> District under conditions in which the results in the 7<sup>th</sup> District are directly comparable to results in the 4<sup>th</sup>, 5<sup>th</sup>, and 9<sup>th</sup> Districts. (pp. 11-14)

Here, the four Petitioners – Hall, Colarusso, Campbell, and Brady followed the same path in each of the 4<sup>th</sup>, 5<sup>th</sup>, 7<sup>th</sup>, and 9<sup>th</sup> Districts. Petitioners used the same software application to collect nominations from voters, and used the same techniques to contact voters. They used the same tools, from many of the same vendors. They used blast emails, automated dialing, robo-calling, and text messaging in the same ways. These four Petitioners conducted their nomination campaigns in remarkably similar ways. (pp. 18-21)

**B. Despite A Greater Effort, The Result for Campbell Was Fewer Nominations than Fellow Petitioners in the 4<sup>th</sup>, 5<sup>th</sup>, and 9<sup>th</sup> Districts.**

The only difference discernable difference is that Campbell did more, tried harder, and could not meet Goldstein's facial signature requirement. The three other Petitioners were able to secure sufficient nominations from voters to meet the Goldstein requirement. In the 4<sup>th</sup>, 5<sup>th</sup>, and 9<sup>th</sup> Districts, COVID-19 was not as prevalent, population density is much lower, the poverty rate is much lower, and many fewer people speak a language other than English at home. These basic differences among the Districts were not known or considered by the Court at the time Goldstein was decided. (pp. 11-14 and 18-21)

As applied, Goldstein discriminated against six-hundred and fifty-two voters, including Campbell, in the 7<sup>th</sup> District by violating their fundamental constitutional right to access the ballot for the U.S. House. These are violations of Article IX of the Declaration of Rights, the 14<sup>th</sup> Amendment, Section 2 of the Voting Rights Act, and 2 U.S.C. 7. caused discriminatory and disparate results for Campbell in the application of Goldstein to the 7<sup>th</sup> District. (pp. 44-50)

## **II. The Secretary Has the Argument Backwards – Denying Ballot Access to Voters and Campbell Cannot Withstand Constitutional Scrutiny**

The Six-Hundred Fifty-Two (652) eligible voters nominated Campbell live in neighborhoods, towns, and cities across the 7<sup>th</sup> District. Attachment 3 to the Campbell and Milligan Affidavits shows support from across the 7<sup>th</sup> District. RA-I/434. RA-I/374. RA-I/417-18 at ¶¶46-52. (pp. 26-28)

### **A. Closed Election Offices Are a Patent Obstruction of the Fundamental Right to Access the Ballot.**

Section E. of Petitioner Campbell’s Statement of Facts (pp. 21-25) lays out in detail the impact of the disruption and confusion caused, near the end of the nomination period, by the Governor’s April 28, 2020 Extension of the Emergency from May 4 to May 18. ADD/24. Petitioners printed and delivered nomination forms to election offices that were closed to the public across the 4<sup>th</sup>, 5<sup>th</sup>, 7<sup>th</sup>, and 9<sup>th</sup> Districts. The Petitioners’ filings on May 8, 2020, ordered by the Court on May 5, 2020 describe their experience delivering nominations. RA-I/72 Memorandum; RA-I/82 Affidavits of Milligan RA-I/82; Hall RA-I/110; Campbell RA-I/110; and Colarusso Conformed RA-I/183. (pp. 21-25)

The exchange of nomination papers between clerks and candidates was altered in material ways. There were different “rules of engagement” in each Municipality. RA-I/244 at ¶32.<sup>17</sup> The nomination form required by the Secretary contains mandatory “Instructions to Registrars” on the back side. RA-I/380-1.

- You must time-stamp or write-in date and time these papers are received.
- Inform the candidate if the district designation is incorrect and allow the candidate to correct it *before certifying names*. (emphasis in original)

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<sup>17</sup> Colarusso, with long service to the U.S.P.S. describes this as a “paper chase” – a failure to establish standard operating procedures in advance. RA-I/232 ¶¶35-46.

RA-I/381. (pp. 21-25 – including paragraphs on this page)

With offices unexpectedly closed and face-to-face drop-off curtailed, these two instructions from the Secretary were not generally followed. Registrars did not generally time-stamp or write in date and time as papers were came from the candidate. Nominations were typically dropped off in without communication among the candidate, their runners, and clerks. RA-I/82 Affidavits of Milligan RA-I/82; Hall RA-I/110; Campbell RA-I/110; and Colarusso Conformed RA-I/183.

The second instruction was not generally followed for the same reason. Candidates were not given the opportunity required by the Secretary for Registrars to correct such mistakes before certification. RA-I/162-3 at ¶¶ 23 to 33. The disruption this caused to Campbell is described in Section E, above (at pages 21-25). Petitioner Colarusso experienced these problems in the 5<sup>th</sup> District. RA-I/233 at ¶46. So did Petitioner Hall in the 4th District. RA-I/244-45 at ¶¶33-40. RA-I/253-268.

In Cambridge, there was confusion about where to drop the nomination forms, because offices were closed to the public. No instructions could be found by Campbell's runners on the doors of City Hall as to where to drop nomination papers. No instructions could be found on the internet. RA-I/175. Numerous nominations were delivered by Campbell's runner to a Cambridge City Hall Drop Box in which other papers had been filed for the City Clerk. RA-I/175. RA-I/163 at ¶¶ 27 to 29.

Only one day before, the same Cambridge Clerk told Petitioner Colarusso that her office was closed on Monday May 4 and that she could not deliver papers on that day, in direction contradiction with the Secretary's advice to Colarusso over the phone that clerks' office were "open." RA-I/234 ¶¶48-51. Petitioners, including Campbell, did what they could to comply. RA-I/84-86 at ¶¶ 5, 6, 17, 18.

## **B. The Paper Chase the Secretary Defends Offers No Constitutional Basis for Denying Voters the Fundamental Right to Access the Ballot**

The Secretary would turn the fundamental constitutional policy securing access to the ballot on its head. An arduous, time-consuming, restricted, frustrating, “paper chase” by Candidates to reach 110 closed election offices across Eastern Massachusetts in the middle of a pandemic has nothing to do with the right of voters in the 7<sup>th</sup> District – 652 of them – to nominate who they choose for elective office.

Voters’ rights to access the ballot are of equal importance with Petitioner Campbell’s right to do so.

The Secretary does not answer a basic constitutional question. How can a (good-faith) failure by Campbell to clear obstacles she didn’t create – closed offices, delays, different rules of engagement with each clerk, violations of the Secretary’s Instructions to Registrars, and violations of the Secretary’s regulations that a printed name constitutes a signature – constitute a constitutional justification to deny all six-hundred fifty-two (652) voters access to the ballot during the height of a pandemic?<sup>18</sup>

The obstacle course Campbell endured between May 4 and June 2 was not constructed by Campbell, and it certainly wasn’t constructed by voters in the 7<sup>th</sup> District. Each of the eligible voters in the 7<sup>th</sup> District who nominated Campbell have either been certified or, despite having a MA Voter ID provided by the Secretary, did not get through the obstacle course. All but a handful of the six-hundred fifty-two (652) nominations the Secretary seeks not to count were filed with the Court on May 5, 2020. RA-I/70. (pp. 21-25)

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<sup>18</sup> Long lines at the polls often result in extension of poll hours. Why does the Secretary not advocate for that here, preferring to argue to suppress nominations?

The record shows that sixty-six (66) nominations by voters identified in Attachment 5 should be corrected and allowed. RA-I-376. The corrections required include signature rejections inconsistent with the Secretary's own regulations (APP/17), late rejections, and inability to physically deliver signatures caused by closed clerk's offices. APP/17. RA-I/419-20 at ¶¶61-68. RA-I/363-67 at ¶¶53-83. (p. 29)

Included in the group of one hundred and eight (108) additional nominations are forty-two (42) nominations listed in Attachment 6. RA-I/437. RA-I/377. Nominations from these voters could not be batched printed in Kingston, MA and then delivered by hand under COVID conditions to clerks in the 7<sup>th</sup> District before the 5:00 pm May 5, 2020 deadline. RA-I/369-70 at ¶¶97-104. (p. 29)

**C. Six-Hundred Fifty-Two Voters in the 7<sup>th</sup> District, including Campbell, Have Been Denied Their Fundamental Right to Access the Ballot**

Six-Hundred and Fifty-Two (652) Republican and Unenrolled citizens with Voter ID's assigned by the Secretary nominated Petitioner Campbell before 5:00 pm on May 5, 2020.<sup>19</sup> RA-I/417-18 at ¶¶ 39-45. See, Attachment 2: RA-I/433. (p. 26-29)

**1. All Nominations Were Timely Made, by Voters in the 7<sup>th</sup> District With a MA Voter ID Provided by the Secretary**

Voters in the 7<sup>th</sup> District made one-hundred and eight (108) more nominations than reported by Tassinari in her May 26, 2020 Affidavit. RA-I/317 at ¶6. The one-

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<sup>19</sup> Forty-three (43) more (invalid) nominations came from West Roxbury (Boston) and Milton. Part of Milton and all of West Roxbury are in the 8<sup>th</sup> District.

hundred eight (108) voters who made these nominations are identified in two attachments to the Campbell and Milligan Affidavits of May 29.

These records are:

Attachment 5: Milligan – RA-I/436; Campbell - RA-I/376.

Attachment 6: Milligan – RA-I/437; Campbell - RA-I/377.

All but four (4) of the one-hundred and eight (108) additional nominations were electronic, timely filed with the Court on May 5, 2020 by Order. RA-I-68. The Submission Date (date, hour, minute) in Attachments 5 and 6 confirm that none of the electronic nominations were made after 5:00pm on May 5, 2020 – the deadline for nominations. RA-I/436-7. RA-I/376-7. (p. 26-29)

All one-hundred eight (108) voters identified in Attachments 5 and 6, above, are matched to eligible voters from the 7<sup>th</sup> District with a MA Voter ID issued by the Secretary. RA-I/419-20 at ¶¶ 53-68. (p. 26-29)

**2. One Hundred Four (104) of the Voters Who Made These Additional Nominations Printed Their Names: Valid “Signatures” Under the Secretary’s Own Regulations.**

All one-hundred four (104) voters listed in Attachments 5 and 6, who made their nominations electronically, manually entered their name, address, telephone, and email address into the voter Input Files, which were then printed “untouched” as nomination forms from the Output Files. RA-I/420 ¶65. (p. 26-29)

All one-hundred four (104) voters entered their name and address into the voter Input Files.<sup>20</sup> RA-I/367 at ¶¶84-88. The Secretary’s own regulations provide

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<sup>20</sup> Typing information into an empty cell of a data base is printing information into that cell. An empty cell becomes a cell with data in it, because the user entered information into that cell. The physical characteristic of the cell is changed. It has been printed.

that all one hundred four (104) voters who printed their name entered a valid signature. 950 CMR 55.03(3)(g). ADD/17. Under these regulations, every voter who entered his/her name into the application printed his/her name into the Input Files and onto the nomination form (the “Output Files”). Printing your own name is as a valid “signature.” ADD/17. (p. 26-29)

Any action by Clerk’s invalidating “signatures” as illegible, unclear, or otherwise infirm cannot withstand strict scrutiny as is void on its face.

### **3. The Other Four (4) Voters Who Made Additional “Wet” Nominations Match To MA Voter IDs Provided by the Secretary**

The four (4) “wet” signatures included among these one hundred eight (108) voters also match to eligible voters from the 7<sup>th</sup> District – 2 each from Chelsea and Cambridge – with a unique MA Voter ID issued by the Secretary. RA-I/419 at ¶59.

The 652 eligible voters who nominated Campbell live in neighborhoods, towns, and cities all across the 7<sup>th</sup> District. Attachment 3 to the Campbell and Milligan Affidavits shown the widespread support. RA-I/434. RA-I/374. RA-I/417-18 at ¶¶46-52. (p. 26-29)

### **III. As a Matter of Equity, The Court Should Provide Relief to Voters and Campbell, Putting Campbell on the Ballot**

The Court need only examine its decision in Goldstein to conclude that, as a matter of equity, the proper relief for voters and Petitioner Campbell is to place her on the ballot. In Goldstein,<sup>21</sup> the Court agreed with the Secretary of the Commonwealth that, “as a practical matter, application of the [statutory<sup>22</sup>] signature requirements in the context of the current public health crisis imposes a greater than usual burden on [the plaintiffs], triggering heightened [constitutional] scrutiny.” The Court found that “the justification for the current signature requirements cannot survive this scrutiny, and that this court must craft a remedy for this constitutional violation.”<sup>23</sup>

Based upon the factual situation as of mid-April, this Court fashioned “equitable relief intended to substantially diminish that burden, while respecting the legislative purpose for imposing minimum signature requirements” under the broad authority of G.L. c. 214 §1 and G.L. c. 231A §1. ADD/15-16. The impact of COVID-19 was far worse than could have been known, and with disproportionate impact on minorities (particularly African-Americans) in the 7<sup>th</sup> District.

With the actual experience of the four Petitioners as corroboration, it is now clear, in hindsight, that the result of the equitable remedy fashioned in Goldstein, as applied to Campbell in the 7<sup>th</sup> District, was a constitutional violation. (pp. 11-29) The Court has an obligation to fix the violation. Both equity and law require it. Petitioner Campbell should be placed on the September 1 Republican primary ballot.

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<sup>21</sup> Goldstein, supra, at pages 2 -3.

<sup>22</sup> G. L. c. 53, §6.

<sup>23</sup> Goldstein, supra, at page 3.

Petitioner Campbell seeks no extraordinary remedy. She has demonstrated the necessary “measurable quantum of community support” in the 7<sup>th</sup> District in unique circumstances. The equitable remedy she seeks – to be placed on the ballot – is entirely appropriate in a constitutional republic founded upon access to the ballot for voters and candidates, and upon contested elections. These principles are basic to the legitimacy of our form of constitutional republic. Article IX of the Declaration of Rights establishes this policy purpose clearly, and without equivocation.

Article IX. All elections ought to be free; and all the inhabitants of this commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments. ADD/14.

The remedy Campbell seeks fulfills the policy purpose of Article IX, harms no one, and advances the strongest constitutional preference for access to the ballot and contested elections in our constitutional republic.

Democrats have a 48%+ registration advantage over Republicans in the District. The path to election for Campbell is not an easy one. (p. 11)

Even as this Appeal is being argued, many Americans are struggling to have their voices heard in demonstrations and meeting places across this country. Access to the ballot and contested elections are the means by which Americans work their differences out. A pandemic is not a time to deny voters and candidates their fundamental right to access the ballot. Contested elections is how the country governs itself – in peace – and with respect for one another.

#### **IV. As a Matter of Law, The Court Must Provide Further Relief to Voters and Campbell**

##### **A. Relief is Required Under Massachusetts Law**

As applied during the extended period of the COVID-19 Emergency, the fundamental right of 652 voters, including Campbell, to access the ballot is fundamental has been violated, under both state and federal law. Goldstein<sup>24</sup> itself confirmed that the right to access the ballot – either as a candidate or as a nominator of a candidate – is a “fundamental right” protected by Article 9 of the Massachusetts Declaration of Rights. (pp. 11-29)

The right to seek elected office, like the related right to vote, is a fundamental constitutional right in Massachusetts. Article 9 of the Massachusetts Declaration of Rights provides, with impressive brevity and clarity, that “[a]ll elections ought to be free; and all the inhabitants of this commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments.”

Over the ensuing 240 years since the adoption of our Declaration of Rights in 1780, art. 9 has served to protect the “fundamental” and “intertwine[d]” rights of candidates to gain access to the ballot and of voters to cast their ballots as they see fit. See Libertarian Ass'n of Mass. v. Secretary of the Commonwealth, 462 Mass. 538, 560 (2012) (LAM)

Strict scrutiny applies to the application of voting laws that restrict access to the ballot and of voters to cast their ballot as they see fit.

[W]e have declared that we do not use the phrase “severe burden,” which arises from Federal constitutional jurisprudence, in determining whether strict scrutiny applies but instead apply strict scrutiny to a voting requirement that “significantly interfere[s]” with the fundamental right to vote. See Chelsea Collaborative, Inc. v.

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<sup>24</sup> Goldstein, supra, at page 3.

Secretary of the Commonwealth, 480 Mass. 27, 35, 36 n.21, 40 (2018).<sup>25</sup>

The Court crafted a facial solution on April 16, but one that did not account for: (a) the future disparate effect of COVID-19 on voters in the 7<sup>th</sup> District, and (b) the effect that the extension of the COVID-19 Emergency past May 4, 2020 to May 18, 2020 would have on the orderly delivery, correction, and certification of nominations made by voters in the 7<sup>th</sup> District.

As applied to voters and Petitioner Campbell in the 7<sup>th</sup> District, the Court has a constitutional obligation to fix this violation by placing Petitioner Campbell on the September 1, 2020 primary ballot.

### **B. Relief is Required Under Section 2 of the Federal Voting Rights Act**

These facts show violations of Section 2 of the Voting Rights Act and the Fourteenth Amendment. Three Republican women in the 4<sup>th</sup>, 5<sup>th</sup>, and 9<sup>th</sup> District were able to collect between 1500 and 2100 nominations from voters in districts that were: (i) not nearly as hard hit by COVID-19, (ii) had significantly lower percentages of persons below the poverty line, (iii) had significantly lower percentages of households where a language other than English is spoken at home, (iv) have significantly lower population density, and by definition, a lower inherent risk of COVID-19 transmission, and (v) have significantly higher white population.

One African-American woman in the 7<sup>th</sup> District, a “majority-minority” district did not collect enough nominations in the 7<sup>th</sup> District voters (RA-I/317 at ¶7) a District that was (i) disproportionately hit by COVID-19, (ii) had a significantly higher percentage of persons below the poverty line, (iii) had a significantly higher

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<sup>25</sup> Goldstein, supra, at pages 16-17.

percentage of households where a language other than English is spoken at home, (iv) had fifteen (15) times higher population density, and by definition, a much higher inherent risk of COVID-19 transmission, and (v) had a significantly higher minority population. (pp. 11-14)

These basic differences in the characteristics of the 7<sup>th</sup> District compared to the 4<sup>th</sup>, 5<sup>th</sup>, and 9<sup>th</sup> Districts are substantive. The most severe impact areas for COVID-19 in the state track closely to the boundaries of the 7<sup>th</sup> Congressional District. (p. 25-26) The rates of COVID-19 in the towns of the 7<sup>th</sup> District are stunning: Chelsea – 1<sup>st</sup>; Everett – 4<sup>th</sup>; Randolph – 6<sup>th</sup>; and Boston – 18<sup>th</sup> of 351 towns.

Language spoken at home is a remarkably different characteristic among the 4<sup>th</sup>, 5<sup>th</sup>, 7<sup>th</sup>, and 9<sup>th</sup> Congressional Districts. Petitioner Campbell does not assert that the language spoken at home matters, substantively. But, language spoken at home is an important special circumstance in the application of Goldstein in the 7<sup>th</sup> District. Goldstein authorized a new technology – digital nominations – to be available to voters across the Commonwealth. The software application used by all four Petitioners was built and deployed by numerous campaigns within just a few days of the Goldstein decision – in English. Language spoken at home was a significantly greater barrier to Campbell in the 7<sup>th</sup> District that was significantly less for fellow Petitioners in the 4<sup>th</sup>, 5<sup>th</sup>, and 9<sup>th</sup> Districts. (pp. 11-14)

The vast majority of voters in the 4<sup>th</sup>, 5<sup>th</sup>, and 9<sup>th</sup> Districts, where there is a much smaller language barrier, did not face a language problem in the use of this new technology. Voters in the 7<sup>th</sup> District and Petitioner Campbell needed to be able to communicate about the existence of that new software application, and how to use it to make a nomination. Language spoken at home is a clear objective difference in the disparate effects of Goldstein, as applied in the 7<sup>th</sup> District. (pp. 11-14)

Section 2 of the Voting Rights Act provides as follows:<sup>26</sup>

(a) No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State or political subdivision in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, or in contravention of the guarantees set forth in section 10303(f)(2) of this title, as provided in subsection (b).

As amended, Section 2 establishes a results test, as confirmed by the Supreme Court in Thornburg v. Gingles, 478 U.S. 30, 106 S.Ct. 2752, 92 L.Ed.2d 25 (1986). Proof of a discriminatory purpose is not required.

Subsection 2(a) prohibits all States and political subdivisions from imposing any voting qualifications or prerequisites to voting, or any standards, practices, or procedures which result in the denial or abridgment of the right to vote of any citizen who is a member of a protected class of racial and language minorities. Subsection 2(b) establishes that § 2 has been violated where the "totality of the circumstances" reveal that "the political processes leading to nomination or election . . . are not equally open to participation by members of a [protected class] . . . in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice." Thornburg v. Gingles, 478 U.S. 30, at 43, 106 S.Ct. 2752, 92 L.Ed.2d 25 (1986)

As applied to Campbell in the 7<sup>th</sup> District, Goldstein is a violation of Section 2 of the Voting Rights Act. The Court must fix this federal violation by lowering the number of nominations required and placing Petitioner Campbell on the September 1, 2020 primary ballot. (pp. 11-29)

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<sup>26</sup> Formerly 42 U.S.C. §1973. Now, reclassified as 52 U.S.C. §10301. The statute implements, in part, the Fourteenth Amendment.

## **V. 2 U.S.C. §7 Precludes the Secretary from Concluding the Congressional Election in the 7<sup>th</sup> District Before Election Day**

2 U.S.C. 7 states, "The Tuesday next after the 1st Monday in November, in every even numbered year, is established as the day for the election, in each of the States and Territories of the United States, of Representatives and Delegates to the Congress commencing on the 3d day of January next thereafter." Section 7 establishes the "Election Day" for U.S. House races.<sup>27</sup>

The seminal Supreme Court case construing 2 U.S.C. 7 is Foster v. Love, 522 U.S. 67 (1997). In that case, the Supreme Court struck down Louisiana's run-off system because it held the first round of voting before Election Day and then, if no candidate received a majority, held a runoff on Election Day. The Court held that the Louisiana system was invalid because an election could be concluded, and the winner declared, prior to the federally established Election Day. The Court held that:

"Without paring the term "election" in §7 down to the definitional bone, . . . a contested selection of candidates for a congressional office that is concluded as a matter of law before the federal election day, with no act in law or in fact to take place on the date chosen by Congress, clearly violates §7."<sup>28</sup>

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<sup>27</sup> Cf. 2 U.S.C. 1 (applying this provision to U.S. Senate races); 3 U.S.C. 1 (adopting same Election Day for presidential elections).

<sup>28</sup> Foster v. Love, 522 U.S. 67, 72 (1997). Every court to consider the issue has held that Section 7 does not bar states from holding early voting or absentee voting before Election Day. See, Voting Integrity Proj. v. Keisling, 259 F.3d 1169 (9th Cir. 2001); Millsaps v. Thompson, 259 F.3d 535 (6th Cir. 2001); Voting Integrity Proj. v. Bomer, 199 F.3d 773, 775-76 (5th Cir. 2000). These rulings emphasize that the reason there is no violation of 2 U.S.C. 7 is that these laws do not allow the election to be definitely concluded before Election Day.

While the Supreme Court has upheld the general constitutionality of signature requirements for ballot access, the requirement conflicts with public policy clearly expressed in 2 U.S.C. 7, when applied to the circumstance here. The Secretary seeks to effectively conclude the federal election for Congress in the 7<sup>th</sup> District in June, five months before the congressionally specified date. As the Supreme Court noted in Foster, supra, at Section III, one of the purposes of the federal election day law was to prevent early results in some states from influencing voters in other states.

This harm is already happening in the 7<sup>th</sup> Congressional District, through posts on social media sent to people throughout the nation. (p. 30) On June 6, 2020, three “tweets” on social media asserted that the “GOP failed to file any candidate [in] 4 of the 9 congressional districts.” and that:

“... #MA07 Rep. Ayanna Pressley (D) ha[s] won re-election without any opposition in the primary or general election.” (emphasis added)

RA-I/504-5 at ¶¶2-5. (p. 30)

2 U.S.C. 7 and the ruling in Foster requires that an election for Congress may not be concluded before the statutorily prescribed federal Election Day. Federal elections cannot and should not be resolved in June. A democratic society in which the opinions of all people are valued should always favor having an election rather than allowing an incumbent to retain power by operation of law. This is especially important as to Campbell, where the people being denied an opportunity to vote are disproportionately racial minorities, who have historically faced systematic disfranchisement.

Where a state signature requirement, as applied, results in the effective election of a particular candidate five months before Election Day, 2 U.S.C. 7 requires the state to allow at least one other candidate onto the ballot, so that the

general election actually occurs in November. Here there is only one such candidate – Petitioner Campbell. She has shown community support across the 7<sup>th</sup> District. She has submitted the most signatures of any candidate to appear on the ballot, other than the incumbent. State signature requirements should not override the requirements of 2 U.S.C. 7. The Court is required to place Campbell on the ballot.

## **VI. The Relief Available to Goldstein Is Available to Campbell**

Jurisdiction over this Petition is proper under G. L. c. 214, § 1 and G. L. c. 231A § 1, which confer “original and concurrent jurisdiction of all cases and matters of equity cognizable under the general principles of equity jurisprudence,” and confirm that this Court “may on appropriate proceedings make binding declarations of right, duty, status and other legal relations sought thereby.” This Court invoked these same authorities in Goldstein, supra.

## **VII. The Relief Requested is Measured and Appropriate**

Petitioner Campbell’s request fits squarely with the framework set forth by the Court in Goldstein, supra, at 17-18.

Minimum signature requirements ensure "that the candidates who appear on the . . . ballot have demonstrable support among the voting public." Barr v. Galvin, 626 F. 3d 99, 111 (1st Cir. 2010), cert. denied, 565 U.S. 929 (2011). In doing so, they "safeguard the integrity of elections by avoiding overloaded ballots and frivolous candidacies, which diminish victory margins, contribute to the cost of conducting elections, confuse and frustrate voters, increase the need for burdensome runoffs, and may ultimately discourage voter participation in the electoral [fn] process." Libertarian Party of Me. v. Diamond, 992 F.2d 365, 371 (1st Cir.), cert. denied, 510 U.S. 917 (1993).

But, as we have recognized, statutory requirements that were once considered constitutionally permissible may later be found to interfere significantly with a fundamental right as societal conditions and technology change. See Chelsea Collaborative, Inc., 480 Mass. at 37, citing Goodridge v. Department of Pub. Health, 440 Mass. 309, 341

n.33 (2003). And similarly, statutory requirements that in ordinary times impose only modest burdens on prospective candidates for public office may significantly interfere with the fundamental right to run for political office in a time of pandemic.

Petitioner Campbell has demonstrated the necessary “measurable quantum of community support” to get on the ballot, in the very center of the COVID-19 pandemic and in a Congressional district configured heavily against her candidacy. Libertarian Association of Massachusetts v. Secretary of the Commonwealth, 462 Mass. 538, at 556-557 (2012). The statutory purpose has been fulfilled of ensuring that “the candidates who appear on the statewide ballot have demonstrable support among the voting public,” Barr v. Galvin, 626 F.3d 99, 111 (1st Cir. 2012). (p. 26-29)

No Republican candidate other than Campbell demonstrated similar levels of community support in the 7<sup>th</sup> District. Campbell is not a frivolous candidate. There is no overloaded ballot. There is no extra cost in the conduct of elections, no confusion or frustration among voters, nor the need for burdensome runoffs. Voter participation will be encouraged, not discouraged, by a meaningful November election with more than one candidate placed before the electorate. The policy preference for access to the ballot and contested elections, as express in 2 U.S.C. 7 and in Article IX of the Declaration of Rights will be enhanced, instead of being undercut, by placing Campbell on the September primary ballot.

## CONCLUSION

On April 16, 2020, this Court in Goldstein granted general equitable relief to voters and candidates for more than 210 state and federal offices across the Commonwealth. With the actual experience of the four Petitioners as corroboration, and the Court’s June 3, 2020 statement about the disproportionate effect of COVID-

19 on minorities (particularly African-Americans), it is now clear, that the result of the equitable remedy fashioned in Goldstein, as applied to Campbell in the 7<sup>th</sup> District, was a constitutional violation. The Court has an obligation to fix the violation, as both equity and law require. Petitioner Campbell should be placed on the September 1 Republican primary ballot.

Petitioner Campbell obtained 652 nominations from eligible voters in the 7<sup>th</sup> District with either a MA voter ID furnished by the Secretary or a signature certified by clerks. Campbell has demonstrated the necessary “measurable quantum of community support” to get on the ballot.

In the unique circumstance applicable to Petitioner Campbell, reduction in the signature requirement is appropriate and necessary to mitigate the disparate impact of Goldstein on voters in the 7<sup>th</sup> District.

Petitioner Campbell requests the Court to rule as follows:

1. Relaxation of the signature requirement set in Goldstein is necessary, in equity and under applicable law, to address a constitutional violation, as applied, on voters in the 7<sup>th</sup> District and Campbell;
2. Campbell has demonstrated that “measurable quantum of community support” to be placed on the September 1, 2020 primary ballot for U.S. House of Representatives from the 7<sup>th</sup> District.
3. The Secretary is ordered to place Petitioner on the September 1, 2020 primary ballot for U.S. House of Representatives from the 7<sup>th</sup> District.

Respectfully submitted,

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Dated: July 9, 2020

### **CERTIFICATE OF COMPLIANCE**

This brief complies with the rules of court that pertain, including, but not limited to: Rule 16(a)(13) (addendum); Rule 16(e) (references to the record); Rule 18 (appendix to the briefs); Rule 20 (form and length of briefs, appendices, and other documents); and Rule 21 (redaction). The length of the brief is within the rules, the proportionally spaced font used is Times New Roman size 14. MS Office 2016 Professional-Word is the word-processing program used.

### **CERTIFICATE OF SERVICE**

I, John B. Miller, a member of the Bar of this Court, hereby certify that on this day, July 9, 2020, the foregoing Brief of the Appellant Petitioner Rayla Campbell, including Addendum, were electronically served on counsel to the Secretary of Commonwealth by emails sent to Assistant Attorney General Anne Sterman and Assistant Attorney General Elizabeth Kaplan.

s/s John B. Miller

John B. Miller

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPREME JUDICIAL COURT  
FOR THE COMMONWEALTH OF  
MASSACHUSETTS

No. SJC-12972

RAYLA CAMPBELL, CAROLINE COLARUSSO, JULIE HALL, HELEN  
BRADY  
on behalf of themselves and others similarly situated, PETITIONERS

v.

WILLIAM FRANCIS GALVIN,  
in his Official Capacity as Secretary of the Commonwealth,  
RESPONDENT.

APPEAL  
FROM THE  
SINGLE JUSTICE SESSION

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**ADDENDUM**

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## Table of Contents

### Addendum

Certificate of Service (of Addendum with Appellant Brief.....	ADD/3
Campbell Notice of Appeal (June 19, 2020).....	ADD/4
Order on Motion to Reconsider (Issued June 12; Attested June 8).....	ADD/6
Interim Order (Dismissing Campbell as Moot) June 2, 2020.....	ADD/10
Article IX Massachusetts Declaration of Rights.....	ADD/14
MGL Ch. 214 Section 1 General Equity Jurisdiction.....	ADD/15
MGL Ch. 231A Section 1 Declaratory Judgments.....	ADD/16
950 CMR 55.03(3)(g) Office of the Secretary / Cert. of Nom. Papers.....	ADD/17
COVID -19 Order No. 13 (March 23, 2020) <a href="https://www.mass.gov/doc/march-23-2020-essential-services-and-revised-gatherings-order/download">https://www.mass.gov/doc/march-23-2020-essential-services-and-revised-gatherings-order/download</a> .....	ADD/19
COVID -19 Order No. 21 (March 31, 2020) <a href="https://www.mass.gov/doc/march-31-2020-essential-services-extension-order/download">https://www.mass.gov/doc/march-31-2020-essential-services-extension-order/download</a> .....	ADD/24
COVID -19 Order No. 30 (April 28, 2020) <a href="https://www.mass.gov/doc/signed-second-extension-of-essential-services-order/download">https://www.mass.gov/doc/signed-second-extension-of-essential-services-order/download</a> .....	ADD/27
MA Dept of Public Health COVID-19 Cases by Town - May 6, 2020 <a href="https://www.mass.gov/doc/confirmed-covid-19-cases-in-ma-by-citytown-january-1-2020-may-6-2020-0/download">https://www.mass.gov/doc/confirmed-covid-19-cases-in-ma-by-citytown-january-1-2020-may-6-2020-0/download</a> .....	ADD/30
Excel Version – Sorted By Rate of Cases in City/Town.....	ADD/44
2010 April 1 Census Quick Facts Reports [Enter Any Town/County to View] <a href="https://www.census.gov/quickfacts/fact/table/MA,US/PST045219">https://www.census.gov/quickfacts/fact/table/MA,US/PST045219</a> .....	ADD/52
Boston, Randolph, Everett, Chelsea, MASS.....	ADD/52
Milton, Cambridge, Somerville, MASS.....	ADD/55
Suffolk, Norfolk, Plymouth, Middlesex, Essex, USA.....	ADD/58

Congressional District 7 Profile Data US Census Reporter [To View On-Line]  
<https://censusreporter.org/profiles/50000US2507-congressional-district-7-ma/>  
.....ADD/61

Congressional District 4 Profile Data US Census Reporter [To View On-Line]  
<https://censusreporter.org/profiles/50000US2504-congressional-district-4-ma/>  
.....ADD/68

Congressional District 5 Profile Data US Census Reporter [To View On-Line]  
<https://censusreporter.org/profiles/50000US2505-congressional-district-5-ma/>  
.....ADD/75

Congressional District 9 Profile Data US Census Reporter [To View On-Line]  
<https://censusreporter.org/profiles/50000US2509-congressional-district-9-ma/>  
.....ADD/82

Dated: July 9, 2020

**CERTIFICATE OF SERVICE**

I, John B. Miller, a member of the Bar of this Court, hereby certify that on this day, July 9, 2020, the foregoing Addendum was electronically served on counsel to the Secretary of Commonwealth with Petitioner Campbell's Appellant Brief, by emails sent to Assistant Attorney General Anne Sterman and Assistant Attorney General Elizabeth Kaplan.

*s/s John B. Miller*

John B. Miller

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPREME JUDICIAL COURT  
FOR SUFFOLK COUNTY  
No. SJ-2020-321

RAYLA CAMPBELL, CAROLINE COLARUSSO, JULIE HALL, HELEN BRADY  
on behalf of themselves and others similarly situated, PETITIONERS,

v.

WILLIAM FRANCIS GALVIN,  
in his Official Capacity as Secretary of the Commonwealth,  
RESPONDENT.

---

**PETITIONER CAMPBELL'S NOTICE OF APPEAL**

---

Petitioner Rayla Campbell from the Court's Order on Reconsideration entered by the Court on June 12, 2020 denying Campbell's Motion to Reconsider and memorandum in Support Thereof filed on June 5, 2020, including Campbell's Supplemental Memorandum in Support of Motion to Reconsider and Second Supplemental Affidavit of Rayla Campbell filed on June 9, 2020.

Respectfully submitted,

/s/ John B. Miller

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Counsel for Petitioners

Dated: June 19, 2020

**CERTIFICATE OF SERVICE**

I, John B. Miller, a member of the Bar of this Court, hereby certify that on this day, June 19, 2020, the foregoing Petitioner Campbell's Notice of Appeal and the accompanying were electronically served on counsel to the Secretary of Commonwealth by emails sent to Assistant Attorney General Anne Sterman and Assistant Attorney General Elizabeth Kaplan.

*s/s John B. Miller*

John B. Miller

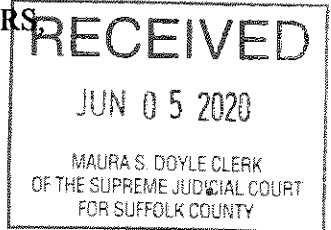
COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPREME JUDICIAL COURT  
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RAYLA CAMPBELL, CAROLINE COLARUSSO, JULIE HALL, HELEN BRADY  
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WILLIAM FRANCIS GALVIN,  
in his Official Capacity as Secretary of the Commonwealth,  
RESPONDENT.



---

**PETITIONER CAMPBELL'S MOTION TO RECONSIDER  
AND  
MEMORANDUM IN SUPPORT THEREOF**

---

**MOTION TO RECONSIDER**

Petitioner Rayla Campbell moves for reconsideration of the last paragraph in the Court's Interim Order dated June 2, 2020,<sup>1</sup> which denied her request for further relief and granted the Secretary's Motion to Dismiss.<sup>2</sup> Petitioner Campbell renews her request for further relief.

**MEMORANDUM IN SUPPORT OF MOTION TO RECONSIDER**

A letter dated June 3, 2020 from all seven Justices of the Supreme Judicial Court to Members of the Judiciary and the Bar<sup>3</sup> ("Letter") was a call in very difficult times from the Court

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<sup>1</sup> See, Interim Order, dated June 2, 2020, at page 4, last paragraph.

<sup>2</sup> In support of this Motion to Reconsider, Petitioner Campbell attaches the Supplemental Affidavit of Rayla Campbell dated June 5, 2020.

<sup>3</sup> See, Exhibit A to Affidavit of Rayla Campbell dated June 5, 2020, attached.

to all judges and attorneys throughout the Commonwealth to undertake a deep re-examination of what courts and attorneys “do to create a just, fair, and peaceful society.”<sup>4</sup>

This Letter has led both Petitioner and counsel to Petitioner to re-examine this matter in light of the Court’s encouragement to do so in all matters. As a result, Petitioner Campbell seeks reconsideration of the last paragraph of this Court’s order just one day before – on June 2, 2020.

### Argument

Petitioner Campbell is African-American.<sup>5</sup> The 7<sup>th</sup> Congressional District is the only “majority-minority” district in the Commonwealth, one in which more than half of the people are minorities, many of them African-American.<sup>6</sup> There is no other Republican candidate for nomination from the 7<sup>th</sup> District.<sup>7</sup> There is one Democratic candidate from the 7<sup>th</sup> District – the incumbent.<sup>8</sup>

When the Supreme Judicial Court determined to cut the number of signatures required in half – from 2,000 to 1,000 – for congressional candidates, this was a subjective judgment not based on the science or the effect of CVOID-19 on the 7<sup>th</sup> District.<sup>9</sup> The unintended consequence of that

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<sup>4</sup> Petitioner Campbell seeks elected office in the U.S. House of Representatives. Congress is an important, policy-making legislature, and will continue to play a key role in the creation of a just, fair, and peaceful society. To stand for election to a legislature is a fundamental right. Robert Goldstein et al v Secretary of the Commonwealth, SJC-12391, April 16, 2020., at pages 2 -3.

<sup>5</sup> See, Affidavit of Rayla Campbell dated June 5, 2020, at ¶4.

<sup>6</sup> Ibid., at ¶6.

<sup>7</sup> Ibid., at ¶7.

<sup>8</sup> Ibid., at ¶8.

<sup>9</sup> Ibid., at ¶9. Petitioner Campbell’s request for further relief stems from an example of “unconscious bias” described in the Letter from the Justices. The Court not only lowered the number of signatures. The Court allowed an entirely new and different technology for collecting signatures, without considering whether this would have disparate application, based on access to technology, available technology, and language. Petitioner Campbell has provided objective and comparative evidence that there were such disparate impacts among the populations of the 4<sup>th</sup>, 5<sup>th</sup>, 7<sup>th</sup>, and 9<sup>th</sup> Districts that arose from the Court’s decision to allow “dry” signatures. Neither the Court nor the parties in Goldstein considered or discussed the disparate

remedy was to create a disparate result in the 7<sup>th</sup> District as applied to Campbell, one not experienced by Petitioners Hall, Colarusso, and Brady in the 4<sup>th</sup>, 5<sup>th</sup>, and 9<sup>th</sup> Districts, respectively.<sup>10</sup>

Despite a greater effort by Campbell in the 7<sup>th</sup> District to obtain signatures for nomination than that exerted by Petitioners Hall, Colarusso, and Brady in their respective majority-white districts, the Court's half remedy was not enough for Campbell in the 7<sup>th</sup> District.<sup>11</sup> In effect, the Letter took judicial notice of Petitioner Campbell's evidence of disproportionate impact of the COVID-19 pandemic on the only "majority-minority" District in the state – the 7<sup>th</sup> District.<sup>12</sup>

As applied to Petitioner Campbell in the 7<sup>th</sup> District, the Court's April 16 remedy of half the number of required signatures did not provide the same justice to Campbell as it did to the other three Petitioners. Petitioner Campbell does not believe she has received equal justice.<sup>13</sup>

Petitioner Campbell's voice as an African-American candidate for Congress and the voices of 652 voters who nominated her from the 7<sup>th</sup> District will not be heard. None of the 700,000 residents of the 7<sup>th</sup> District will benefit from silencing these voices except the incumbent member of Congress who will run unopposed.<sup>14</sup> There will be no savings in effort or expense to the Secretary. Only one candidate will appear on the ballot. All voters in the 7<sup>th</sup> District will be harmed. No voter will have a choice between candidates for Congress in the 7<sup>th</sup> District.<sup>15</sup> This result conflicts with the basic democratic norms of our Republic – the very purpose of elections.

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impacts of such a change on different populations. Petitioner Campbell has shown that this was at least an unconscious omission, one that has had disparate impacts upon her in the 7<sup>th</sup> District.

<sup>10</sup> Ibid., at ¶¶ 10-12.

<sup>11</sup> Ibid., at ¶ 13.

<sup>12</sup> Ibid., at ¶¶ 20-23.

<sup>13</sup> Ibid., at ¶¶ 14-15.

<sup>14</sup> Ibid., at ¶¶ 16-17.

<sup>15</sup> Ibid., at ¶¶ 18-19.

Conclusion

In light of the Letter, the Supplemental Affidavit of Rayla Campbell dated June 5, 2020, and in reliance on the Memorandum and Affidavits previously filed, Petitioner Campbell requests reconsideration of the last paragraph of the Court's Interim Order of June 2, 2020.

Petitioner Campbell asks the Court to take cognizance of the disparities in how the April 16, 2020 signature requirements have had disparate impacts as applied to her, an African American, and to provide the same justice afforded to fellow Petitioners who did not face these disparities.

Petitioner Campbell requests that the Court rule that she has collected sufficient signatures to demonstrate the necessary "measurable quantum of community support" to be placed on the September 1 primary ballot for U.S. House of Representatives from the 7<sup>th</sup> District. Any other result cannot be reconciled with the Letter, the Declaration of Rights, the Constitution, equity, or common sense.

Respectfully submitted,

/s/ John B. Miller

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Commonwealth of Massachusetts  
Supreme Judicial Court for Suffolk County

Per the within, Motion is [REDACTED] / DENIED  
[REDACTED] / WITHOUT HEARING

By the Court ( KAFKER, J.)

ATTEST:

  
Assistant Clerk

for Petitioners

4

ADD/9

DATE: JUNE 8, 2020

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPREME JUDICIAL COURT  
FOR SUFFOLK COUNTY  
No. SJ-2020-321

RAYLA CAMPBELL, CAROLINE COLARUSSO, JULIE HALL, HELEN BRADY on  
behalf of themselves and others similarly situated

v.

WILLIAM FRANCIS GALVIN, in his  
Official Capacity as Secretary of the Commonwealth  
of Massachusetts,

INTERIM ORDER

On May 5, 2020, only a matter of hours before the 5:00 p.m. deadline for filing their nomination papers with local election officials for certification of signatures, the petitioners, four candidates seeking to appear on the September 1, 2020, State primary election ballot,<sup>1</sup> filed this emergency petition seeking various relief. Among other things, the petitioners alleged that they were unable, or feared they would be unable, to submit all of their nomination papers to local election officials by the 5:00 p.m. deadline due to the closure of local election officials' offices in response to the COVID-19 pandemic. Following a telephonic hearing late in the afternoon on May 5, 2020, this court issued an order requiring the petitioners to provide links to the Clerk, the Attorney General, and the Secretary of the Commonwealth (Secretary) of electronic storage locations containing the nomination papers they claim they were prepared to file with local election officials by the 5:00 p.m. deadline. The petitioners subsequently submitted links that

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<sup>1</sup> The petitioners are each seeking the Republican nomination as United States representative for a different Massachusetts congressional district: Julie Hall, Fourth Congressional District; Caroline Colarusso, Fifth Congressional District; Rayla Campbell, Seventh Congressional District; and Helen Brady, Ninth Congressional District.

they contend were in compliance with this order, and local election officials began reviewing the signatures submitted by the petitioners. The Secretary now moves to dismiss the case in light of the fact that three of the four petitioners have obtained more than the number of certified signatures required, and the fourth petitioner has failed to obtain the required number of certified signatures. Additionally, Petitioner Campbell seeks further relief from the court ordering that she be deemed to have met the requirements to be placed on the September 1, 2020 primary election ballot, even though she has not collected the required number of signatures.

Candidates for Federal and Statewide offices who are affiliated with a party must satisfy certain minimum signature requirements to appear on the State primary election ballot. See G. L. c. 53, § 44. In light of the COVID-19 pandemic, which significantly restricted candidates' abilities to obtain in-person signatures, this court ordered certain modifications to the existing signature requirements to qualify for the September 1, 2020 primary election ballot. See Goldstein v. Secretary of State, 484 Mass. 516 (2020). Candidates seeking to appear on the primary election ballot for the office of representative to the United States Congress are normally required to obtain 2,000 certified signatures. See G. L. c. 53, § 44. Our ruling in Goldstein reduced this requirement to 1,000 signatures for the September 1, 2020 primary ballot. In order to have the signatures they have collected from registered voters certified, candidates must submit their nomination papers to local election officials, who may disallow signatures for a variety of reasons, including that the signatory is enrolled in the wrong party or does not live in the district. See 950 Code Mass. Regs. § 55.03(1). The deadline for candidates running for Federal offices, like the petitioners, to file nomination papers with local election officials was 5:00 p.m. on May 5, 2020. Once the nomination papers are certified by local election officials, candidates must then file them with the Secretary. See G. L. c. 53, § 48. The deadline for

candidates running for Federal offices, like the petitioners, to file certified nomination papers with the Secretary is 5:00 p.m. today, June 2, 2020. Registered voters in the candidate's district then have three days, or until 5:00 p.m. on June 5, 2020, to file objections to the nomination papers with the State Ballot Law Commission (SBLC). The SBLC, in turn, has twenty-one days from that date, or until June 26, 2020, to render decisions on any such objections. Once this has been completed, the Secretary begins the process of preparing the primary ballots. See G. L. c. 55B, § 10.

Local election officials have now finished reviewing and certifying the signatures on the nomination papers submitted by each of the petitioners and the petitioners have filed those certified nomination papers with the Secretary. Hall secured and filed 1,053 certified signatures. Colarusso secured 1,470 certified signatures from local election officials, but it is unclear how many of those she has filed with the Secretary. Brady secured 1,082 signatures from local election officials, but it is unclear how many of those she has filed with the Secretary. Campbell, meanwhile, secured and filed only 544 certified signatures. It appears, therefore, that three of the four candidates, Hall, Colarusso, and Brady, may be in a position to satisfy the modified 1,000 certified signature threshold set in Goldstein. Campbell cannot. The Secretary contends that the case is now moot as to all four candidates, given that the certification process has been completed.

A case may be considered moot "when the party who claimed to be aggrieved ceases to have a personal stake in the outcome." Blake v. Mass. Parole Bd., 369 Mass. 701, 703 (1976). Here, all of the petitioners continue to have a personal stake in the instant proceedings. Their petition sought equitable relief from this court, including that the court order the Secretary to place them on the September 1, 2020 primary election ballot. None of the four petitioners have

yet to be definitively qualified for the September 1, 2020 primary election ballot. Colarusso, Hall, and Brady have preliminarily met the certified signature threshold, but, as the Secretary concedes, there is still the possibility that objections will be filed with and upheld by the SBLC in sufficient numbers to reduce their certified signature tallies below 1,000. Thus, the case is not moot, and this matter shall be stayed as to petitioners Colarusso, Hall, and Brady pending the resolution of any objections to their certified signatures. Petitioners Colarusso, Hall, and Brady and the Secretary shall report back to the Single Justice by 5:00 PM on June 10, 2020, describing whether any objections have been filed as to their certified signatures, and if so, how many signatures are still in dispute for each of the three petitioners.

As to Petitioner Campbell, however, it is now apparent that she was unable to obtain enough signatures to meet the modified Goldstein threshold of 1,000 signatures. While she has identified a number of factors in her Congressional District that made signature collection more difficult, she has not demonstrated why she should be entitled to equitable relief beyond the relief granted in Goldstein to all candidates seeking a party's nomination. The difficulties that Campbell encountered with in-person signature collection are the precise reason why this court issued equitable relief in Goldstein that halved the signature requirement and allowed for electronic signatures. Campbell has not identified any other legal grounds that would warrant further equitable relief in these circumstances. Accordingly, Campbell's request for further relief is denied and the Secretary's motion to dismiss is allowed as to Petitioner Campbell.

Dated: June 2, 2020

By the Court, (Kafker, J.)

/s/ Maura S. Doyle  
Clerk

Article IX.

All elections ought to be free; and all the inhabitants of this commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments. [See Amendments, Arts. XLV and XLVIII, The Initiative, sec. 2.] [For compulsory voting, see Amendments, Art. LXI.] [For use of voting machines at elections, see Amendments, Art. XXXVIII.] [For absent voting, see Amendments, Art. LXXVI.]

**Section 1. General equity jurisdiction; original and concurrent.**

Section 1. The supreme judicial and superior courts shall have original and concurrent jurisdiction of all cases and matters of equity cognizable under the general principles of equity jurisprudence and, with reference thereto, shall be courts of general equity jurisdiction, except that the superior court shall have exclusive original jurisdiction of all actions in which injunctive relief is sought in any matter involving or growing out of a labor dispute as defined in section twenty C of chapter one hundred and forty-nine.

**Section 1. Power to make declaratory determination; jury questions.**

Section 1. The supreme judicial court, the superior court, the land court and the probate courts, within their respective jurisdictions, may on appropriate proceedings make binding declarations of right, duty, status and other legal relations sought thereby, either before or after a breach or violation thereof has occurred in any case in which an actual controversy has arisen and is specifically set forth in the pleadings and whether any consequential judgment or relief is or could be claimed at law or in equity or not; and such proceeding shall not be open to objection on the ground that a merely declaratory judgment or decree is sought thereby and such declaration, when made, shall have the force and effect of a final judgment or decree and be reviewable as such; provided, that nothing contained herein shall be construed to authorize the change, extension or alteration of the law regulating the method of obtaining service on, or jurisdiction over, parties or affect their right to trial by jury. When a declaration of right, or the granting of further relief based thereon, shall involve the determination of issues of fact triable by a jury as of right and as to which a jury trial is duly claimed by the party entitled thereto, or issues which the court, in accordance with the practice of courts of equity, considers should be tried by a jury, such issues may be submitted to a jury in the form of questions, with proper instructions by the court, whether a general verdict be required or not.

### **55.03: Standards**

(1) The registrars shall certify a voter's name signed on a nomination paper or petition unless:

- (a) name is not that of a registered voter at that address or the address is illegible (N).
- (b) name is not signed substantially as registered-the registrars cannot identify the signature as that of a voter because of form of signature (S).
- (c) The name is illegible (S).
- (d) The voter is enrolled in the wrong party (for primary nomination papers or recount petitions) (D or R). For primary nomination papers, the voter must be either enrolled in the proper party or unenrolled (independent) at the time of certification. For primary recount petitions, the voter must be enrolled in the proper party as of the last day to register before the primary (use E if the voter, although not enrolled in the other party, does not meet this requirement).
- (e) The voter is registered in the wrong voting district or a different city or town (W); or
- (f) The voter's name was already certified on the same candidate's nomination paper, or the same petition (including the earlier stage of a state initiative petition) (T).
- (g) the name is that of an inactive voter whose address is different than the address where he or she is listed as inactive.

(2) Registrars must certify a name even if:

- (a) the voter's ward or precinct number has not been provided, or
- (b) it is alleged that a voter's signature was forged or obtained by fraud. (In cases of alleged forgery or fraud, an objection may be filed, and a hearing will be held before the State Ballot Law Commission for state nominations and petitions, and before the local registrars for local nominations and petitions. The registrars may also bring alleged forgery or fraud to the attention of the State Secretary, for referral to an appropriate law enforcement agency.)

(3) In general, a name is "signed substantially as registered" if it can reasonably be determined to be that of a registered voter. For example, registrars shall certify names in which:

- (a) A middle initial is inserted or omitted.
- (b) A common or known nickname is used.
- (c) Two initials are used with a surname.
- (d) One initial is used with a surname, if no other registered voter with that initial lives at the indicated address.
- (e) "Jr." or "Sr." is inserted or omitted.
- (f) Ditto marks are used to indicated a correct address.
- (g) The name is printed.

(4) For example, a name is not "signed substantially as registered", and registrars shall not certify it, if:

- (a) The first name is different from the first name as registered, and no common or known nickname is used.
- (b) The address is different, even if only the house number

is different, or if a post office box number rather than a street address appears.

(c) The name is not that of a registered voter at the indicated address.

The following text is effective 07/01/93

(5) The registrars shall sign certificates under M.G.L. c. 53, s.s. 6 and 48 and 950 CMR 55.02(9) for candidates for state office who reside and are registered voters as of the time of certification in their city or town, as follows:

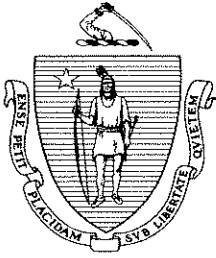
(a) An independent or minor party candidate for state office shall receive a certificate of voter registration unless the candidate has been enrolled in a political party on the records of the registrars of the certifying city or town during the time prior to the last day for filing nomination papers and on or after the day by which a primary candidate is required by M.G.L. c. 53, s. 48 to establish enrollment in a political party.

(b) A state primary candidate shall receive a certificate of party enrollment if, according to the records of the registrars of the certifying city or town:

1. the candidate has not been enrolled in a political party other than the one whose nomination the candidate seeks during the one year preceding the last day for filing nomination papers with the state secretary, and
2. either:

a. the candidate has been enrolled in the political party whose nomination the candidate seeks throughout the 90 days before the last day for filing nomination papers with the state secretary; or

b. the candidate is a newly registered voter of the registrars' city or town. For the purpose of issuing this certificate, a candidate who was not a registered voter of the city or town as of the 90th day before the last day for filing nomination papers with the state secretary, but who later registers and enrolls in the proper party in that city or town before the time of certification, is a newly registered voter.



OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE • BOSTON, MA 02133  
(617) 725-4000

**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**ORDER ASSURING CONTINUED OPERATION OF ESSENTIAL SERVICES  
IN THE COMMONWEALTH, CLOSING CERTAIN WORKPLACES,  
AND PROHIBITING GATHERINGS OF MORE THAN 10 PEOPLE**

COVID-19 Order No. 13

**WHEREAS**, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19");

**WHEREAS**, on March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization;

**WHEREAS**, the number of presumptive positive and confirmed cases of COVID-19 continues to rise exponentially in the Commonwealth. As of March 22, 2020, the Department of Public Health had reported 646 cases of COVID-19, including 5 deaths, with 13 of the 14 counties in the Commonwealth impacted;

**WHEREAS**, the Department of Public Health is urging all residents of the Commonwealth to limit activities outside of the home and to practice social distancing at all times, both inside and outside of the home to limit the spread of this highly contagious and potentially deadly virus;

**WHEREAS**, on March 19, 2020, the Federal Cybersecurity and Infrastructure Security Agency issued guidance to assist States that identifies 14 critical infrastructure sectors whose workers provide services and functions that are essential to maintain in order to support a strong response to the COVID-19 pandemic;

**WHEREAS**, as Governor, I have identified additional services and functions that likewise are essential to promote the public health and welfare of the Commonwealth, and

therefore it is imperative to ensure that workers providing critical services and functions in these State and Federally designated sectors may continue to work to ensure community resilience and continuity of response efforts; and

**WHEREAS**, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise any and all authority over persons and property necessary or expedient for meeting a state of emergency, including but not limited to authority over public assemblages in order to protect the health and safety of persons, regulating the sale of articles of food and household articles, and policing, protection, and preservation of public and private property;

**NOW, THEREFORE**, in order to minimize all unnecessary activities outside of the home during the state of emergency, I hereby order the following:

1. Maintaining Operation of COVID-19 Essential Services and Workforces

The production and service sectors identified in Exhibit A are hereby designated as “COVID-19 Essential Services.” The workforces engaged and working in these production and service sectors are hereby designated as “COVID-19 Essential Workforces.” I shall amend and publish updates to Exhibit A as I determine necessary in response to conditions as they develop.

Businesses and other organizations that provide the services and functions identified as COVID-19 Essential Services in Exhibit A are urged to continue operations during the state of emergency, but to do so with allowance for social distancing protocols consistent with guidance provided by the Department of Public Health.

Restaurants, bars, and other retail establishments that sell food and beverage products to the public provide COVID-19 Essential Services and are designated as such in Exhibit A. These establishments are therefore encouraged to continue to offer food and beverages for take-out and by delivery provided that they follow the social distancing protocols set forth in Department of Public Health guidance. Restaurants, bars, or other establishments that offer food or beverages to the public shall not permit on-premises consumption of food or beverages.

2. Temporary Closing of Other Businesses and Organizations

All businesses and other organizations that do not provide COVID-19 Essential Services shall close their physical workplaces and facilities (“brick-and-mortar premises”) to workers, customers, and the public as of 12:00 noon on March 24, 2020 and shall not re-open to workers, customers, or the public before 12:00 noon on April 7, 2020. Churches, temples, mosques, and other places of worship shall not be required to close their brick and mortar premises to workers or the public; provided, however, that such institutions shall be required to comply with all limitations on gatherings established in section 3 below.

Businesses and other organizations that do not provide COVID-19 Essential Services are encouraged to continue operations where they are able to operate through remote means that do not require workers, customers, or the public to enter or appear at the brick-and-mortar premises closed by this Order.

3. Limitations on Gatherings

Gatherings of more than 10 people are prohibited throughout the Commonwealth. Gatherings subject to this Order include, without limitation, community, civic, public, leisure, faith-based, or sporting events, concerts, conferences, conventions, fundraisers, parades, fairs, festivals, weddings, funerals, and any similar event or activity that brings together more than 10 persons in any confined indoor or outdoor space. This limitation shall not apply to the operations or activities of any business or organization in its provision or delivery of COVID-19 Essential Services.

This Order does not prohibit gatherings of more than 10 people in an unenclosed, outdoor space such as a park, athletic field, or parking lot.

Athletic and recreational activities that bring participants into close, physical contact are prohibited even when involving 10 or fewer people and regardless of where conducted.

4. Exceptions

(a) This Order shall not apply to any municipal legislative body or to the General Court or to the Judiciary.

(b) This Order shall not apply to residential schools for special needs students. This Order also does not apply to public and private elementary and secondary (K-12) schools in the Commonwealth, which are subject to the March 15, 2020 Order Temporarily Closing All Public and Private Elementary and Secondary Schools, as may be subsequently amended, which suspended all normal, in-person instruction.

(c) This Order does not apply to the operation of child care programs in the Commonwealth, which are subject to the March 18, 2020 Order Temporarily Closing All Child Care Programs and Authorizing the Temporary Creation and Operation of Emergency Child Care Programs, as may be subsequently amended.

5. Implementing Guidance and Enforcement

The Commissioner of Public Health is directed to issue guidance ("DPH Guidance"), subject to my approval, to implement the terms of this Order. The DPH Guidance shall include a requirement that grocery stores and other retailers with substantial retail grocery sales establish special limited access hours during which elderly and other vulnerable populations may have exclusive access to make grocery purchases.

The Department of Public Health, along with any board of health or authorized agent pursuant to G. L. c. 111, § 30, shall enforce this Order and if necessary may do so with the assistance of State or municipal police. Violation of the terms of this Order or the DPH Guidance may result in a criminal penalty pursuant to Section 8 of Chapter 639 of the Acts of 1950 or a civil fine of up to \$300 per violation, in the manner provided for non-criminal disposition of violations of municipal by-law, ordinance, rule, or regulation pursuant to G. L. c. 40, § 21D. A criminal complaint for violation of or a motion for an injunction to enforce this Order or the DPH Guidance shall be filed in the district court with jurisdiction for the municipality in which the violation has been charged.

In addition, I hereby direct the Commissioner of Public Health to act under the authority of G. L. c. 17, § 2A and G. L. c. 111, § 6 or any other appropriate authority to supplement the terms of this Order in the event she determines additional measures are required to ensure that the terms of this Order are observed.

This Order supersedes and makes inoperative any order or rule issued by a municipality that will or might in any way impede or interfere with the achievement of the objectives of this Order. With respect to work and travel in particular, any order or rule issued by a municipality is hereby made inoperative to the extent: (1) such municipal order or rule will or might interfere with provisions of this Order ensuring the continued operation of COVID-19 Essential Services; or (2) such municipal order or rule will or might interfere with the free travel anywhere within the Commonwealth of any person who is a member of any COVID-19 Essential Workforce where such travel is made in connection with the ongoing operation of COVID-19 Essential Services.

This Order rescinds and revokes the Order Prohibiting Gatherings of More than 25 People and On-Premises Consumption of Food or Drink, issued March 15, 2020.

If any provision of this Order or the application thereof to any person or entity or circumstance is determined to be invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of this Order or the application thereof to other persons, entities, and circumstances.

This Order shall be effective at 12:00 noon March 24, 2020 and shall remain in effect through 12:00 noon on April 7, 2020 unless further extended.

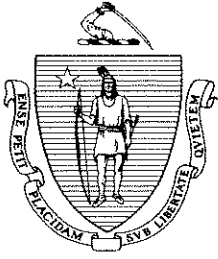
Given in Boston at 9:11 AM this 23rd day  
of March, two thousand and twenty

A handwritten signature in black ink, appearing to read "Charles D. Baker", written over a horizontal line.

CHARLES D. BAKER

GOVERNOR

Commonwealth of Massachusetts



OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE • BOSTON, MA 02133  
(617) 725-4000

**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**ORDER EXTENDING THE CLOSING OF CERTAIN WORKPLACES  
AND THE PROHIBITION ON GATHERINGS OF MORE THAN 10 PEOPLE**

**COVID-19 Order No. 21**

Extending the Operation of COVID-19 Order No. 13

**WHEREAS**, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19");

**WHEREAS**, on March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization;

**WHEREAS**, the number of presumptive positive and confirmed cases of COVID-19 continues to rise exponentially in the Commonwealth. As of March 30, 2020, the Department of Public Health had reported 5,752 cases of COVID-19, including 56 deaths, with all counties in the Commonwealth impacted;

**WHEREAS**, the Department of Public Health continues to urge all residents of the Commonwealth to limit activities outside of the home and to practice social distancing at all times to limit the spread of this highly contagious and potentially deadly virus;

**WHEREAS**, on March 19, 2020, the Federal Cybersecurity and Infrastructure Security Agency issued guidance to assist States with identifying critical infrastructure sectors whose workers provide services and functions that are essential to maintain in order to support a strong response to the COVID-19 pandemic;

**WHEREAS**, on March 23, 2020, I issued an Order that designated COVID-19 Essential Services, temporarily closed the bricks-and-mortar premises of businesses and organizations that do not provide COVID-19 Essential Services, and prohibited gatherings of more than 10 people;

**WHEREAS**, on March 28, 2020, the Federal Cybersecurity and Infrastructure Security Agency issued updated guidance on the identification of critical infrastructure sectors during the COVID-19 Response;

**WHEREAS**, as Governor, I have identified additional services and functions that likewise are essential to promote the public health and welfare of the Commonwealth, and therefore it is imperative to ensure that workers providing critical services and functions in these State and Federally designated sectors may continue to work to ensure community resilience and continuity of response efforts; and

**WHEREAS**, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise any and all authority over persons and property necessary or expedient for meeting a state of emergency, including but not limited to authority over public assemblages in order to protect the health and safety of persons, transportation and travel by any means or mode, regulating the sale of articles of food and household articles, and policing, protection, and preservation of public and private property;

**NOW, THEREFORE**, I hereby order the following:

The provisions of the March 23, 2020 Order Assuring Continued Operation of Essential Services in the Commonwealth, Closing Certain Workplaces, and Prohibiting Gatherings of More than 10 People ("COVID-19 Order No. 13") are hereby extended until May 4, 2020. Accordingly, all businesses and other organizations that do not provide COVID-19 Essential Services shall not re-open their bricks-and-mortar premises to workers, customers, or the public before May 4, 2020.

Gatherings of more than 10 people also remain prohibited until May 4, 2020.

Effective at 12:00 noon on April 1, 2020, Exhibit A of the previously issued COVID-19 Order No. 13 is hereby replaced with the attached, updated Exhibit A of even date with this Order to reflect the revised guidance of the Federal Cybersecurity and Infrastructure Security Agency and the additional services and functions that I, as Governor, have identified as essential to promote the public health and welfare of the Commonwealth.

The Commissioner of Public Health shall continue to issue guidance as necessary and subject to my approval to implement the terms of COVID-19 Order No. 13.

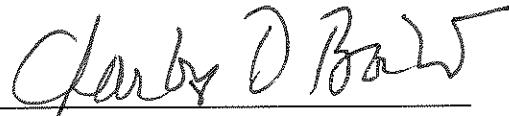
The Massachusetts Department of Transportation, in consultation with the Division of Capital and Asset Management and Maintenance, shall issue guidance and enforcement procedures for the safe operation of public works construction sites, consistent with the terms of Exhibit A of COVID-19 Order No. 13.

The Department of Public Health, along with any board of health or authorized agent pursuant to G. L. c. 111, § 30, shall continue to enforce the terms of COVID-19 Order No. 13 and implementing guidance issued under the authority of that Order as here amended.

In addition, I renew my directive to the Commissioner of Public Health to act under the authority of G. L. c. 17, § 2A and G. L. c. 111, § 6 or any other appropriate authority to supplement the terms of COVID-19 Order No. 13 in the event she determines additional measures are required to ensure that its terms are observed.

This Order is effective immediately and shall remain in effect until May 4, 2020 unless further extended.

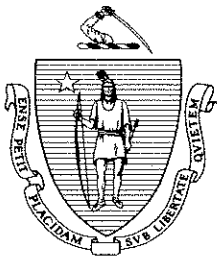
Given in Boston at 1:35 PM this 31st day  
of March, two thousand and twenty

A handwritten signature in black ink, appearing to read "Charles D. Baker", written over a horizontal line.

CHARLES D. BAKER

GOVERNOR

Commonwealth of Massachusetts



OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE • BOSTON, MA 02133  
(617) 725-4000

**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**ORDER FURTHER EXTENDING THE CLOSING OF CERTAIN WORKPLACES  
AND THE PROHIBITION ON GATHERINGS OF MORE THAN 10 PEOPLE**

**COVID-19 Order No. 30**

Further Extending the Operation of COVID-19 Order No. 13

**WHEREAS**, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19");

**WHEREAS**, on March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization;

**WHEREAS**, on March 19, 2020, the Federal Cybersecurity and Infrastructure Security Agency issued guidance to assist States in identifying critical infrastructure sectors whose workers provide services and functions that are essential to maintain in order to support a strong response to the COVID-19 pandemic;

**WHEREAS**, on March 23, 2020, I issued COVID-19 Order No. 13, which designated certain COVID-19 Essential Services, as defined in the Order, temporarily closed the bricks-and-mortar premises of businesses and organizations that do not provide COVID-19 Essential Services, and prohibited gatherings of more than 10 people;

**WHEREAS**, on March 31, 2020, I issued COVID-19 Order No. 21, which amended the earlier issued list of COVID-19 Essential Services and extended the operation of COVID-19 Order No. 13;

**WHEREAS**, the number of presumptive positive and confirmed cases of COVID-19 continues to rise in the Commonwealth. As of April 27, 2020, the Department of Public Health

had reported 56,462 cases of COVID-19, including 3,003 deaths, with all counties in the Commonwealth affected;

**WHEREAS**, the Federal Centers for Disease Control have advised that COVID-19 is spread mainly by person to person contact and that the best means of slowing the spread of the virus is through practicing social distancing and protecting oneself and others by minimizing personal contact with environments where the virus may be transmitted;

**WHEREAS**, the Department of Public Health accordingly continues to urge all residents of the Commonwealth to limit activities outside of the home and to practice social distancing at all times to limit the spread of this highly contagious and potentially deadly virus; and

**WHEREAS**, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise any and all authority over persons and property necessary or expedient for meeting a state of emergency, including but not limited to authority over assemblages in order to protect the health and safety of persons, transportation and travel by any means or mode, regulating the sale of articles of food and household articles, and policing, protection, and preservation of public and private property;

**NOW, THEREFORE**, I hereby order the following:

The provisions of the March 23, 2020 Order Assuring Continued Operation of Essential Services in the Commonwealth, Closing Certain Workplaces, and Prohibiting Gatherings of More than 10 People ("COVID-19 Order No. 13") are hereby extended until May 18, 2020. Accordingly, all businesses and other organizations that do not provide COVID-19 Essential Services shall not re-open their bricks-and-mortar premises to workers, customers, or the public before May 18, 2020.

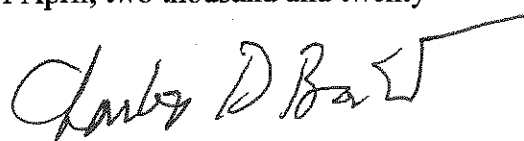
Gatherings of more than 10 people also remain prohibited until May 18, 2020.

The Commissioner of Public Health shall continue to issue guidance as necessary and subject to my approval to implement the terms of COVID-19 Order No. 13.

The provisions of COVID-19 Order No. 21 that extended the operation of COVID-19 Order No. 13 until May 4, 2020 are hereby rescinded and superseded by this Order. Exhibit A to COVID-19 Order No. 13, as amended by COVID-19 Order No. 21, remains effective and is unchanged by this Order.

This Order is effective immediately and shall remain in effect until May 18, 2020 unless further extended.

Given in Boston at 11:30 AM this 28th day  
of April, two thousand and twenty

A handwritten signature in black ink, appearing to read "Charles D. Baker", written over a horizontal line.

CHARLES D. BAKER  
GOVERNOR  
Commonwealth of Massachusetts



## Coronavirus Disease 2019 (COVID-19) Cases in MA

*As of May 6, 2020*

### Count and Rate (per 100,000) of Confirmed COVID-19 Cases in MA by City/Town, January 1, 2020 – May 6, 2020

City/Town	Count	Rate
Abington	177	985.47
Acton	95	400.30
Acushnet	47	449.61
Adams	32	386.44
Agawam	333	1164.16
Alford	0	0
Amesbury	156	937.20
Amherst	60	148.16
Andover	210	583.09
Aquinnah	0	0
Arlington	248	541.38
Ashburnham	17	270.70

Please note: Data for these tables is based on information available in the DPH surveillance database at a single point in time. Case counts for specific cities and towns change throughout the day as data cleaning occurs (removal of duplicate reports within the system) and new demographic information (assigning cases to their city or town of residence) is obtained.



<b>Ashby</b>	8	231.38
<b>Ashfield</b>	<5	*
<b>Ashland</b>	145	743.86
<b>Athol</b>	41	342.66
<b>Attleboro</b>	480	1037.44
<b>Auburn</b>	152	921.64
<b>Avon</b>	56	1278.34
<b>Ayer</b>	45	556.93
<b>Barnstable</b>	238	530.71
<b>Barre</b>	42	755.70
<b>Becket</b>	11	610.96
<b>Bedford</b>	190	1275.48
<b>Belchertown</b>	69	433.34
<b>Bellingham</b>	96	537.02
<b>Belmont</b>	182	666.52
<b>Berkley</b>	41	604.70
<b>Berlin</b>	14	438.43
<b>Bernardston</b>	6	286.94
<b>Beverly</b>	440	1068.83
<b>Billerica</b>	401	920.08
<b>Blackstone</b>	29	320.64
<b>Blandford</b>	0	0
<b>Bolton</b>	10	197.92
<b>Boston</b>	10729	1543.81
<b>Bourne</b>	124	592.73
<b>Boxborough</b>	19	372.00
<b>Boxford</b>	30	388.74



<b>Boylston</b>	13	289.61
<b>Braintree</b>	668	1697.17
<b>Brewster</b>	91	918.05
<b>Bridgewater</b>	287	1008.89
<b>Brimfield</b>	<5	*
<b>Brockton</b>	3179	3235.68
<b>Brookfield</b>	8	218.48
<b>Brookline</b>	308	478.38
<b>Buckland</b>	7	376.25
<b>Burlington</b>	201	727.12
<b>Cambridge</b>	826	732.36
<b>Canton</b>	239	1036.22
<b>Carlisle</b>	9	188.73
<b>Carver</b>	38	312.08
<b>Charlemont</b>	0	0
<b>Charlton</b>	45	319.78
<b>Chatham</b>	10	170.76
<b>Chelmsford</b>	283	786.51
<b>Chelsea</b>	2244	5957.85
<b>Cheshire</b>	<5	*
<b>Chester</b>	5	368.42
<b>Chesterfield</b>	<5	*
<b>Chicopee</b>	288	505.13
<b>Chilmark</b>	<5	*
<b>Clarksburg</b>	7	415.82
<b>Clinton</b>	135	959.13
<b>Cohasset</b>	20	270.29



<b>Colrain</b>	<5	*
<b>Concord</b>	133	710.28
<b>Conway</b>	<5	*
<b>Cummington</b>	<5	*
<b>Dalton</b>	7	107.33
<b>Danvers</b>	539	1887.53
<b>Dartmouth</b>	205	556.77
<b>Dedham</b>	290	1069.13
<b>Deerfield</b>	6	112.52
<b>Dennis</b>	54	408.36
<b>Dighton</b>	44	560.81
<b>Douglas</b>	29	308.52
<b>Dover</b>	14	268.65
<b>Dracut</b>	349	1080.32
<b>Dudley</b>	57	460.28
<b>Dunstable</b>	7	210.08
<b>Duxbury</b>	53	350.22
<b>East Bridgewater</b>	148	1002.96
<b>East Brookfield</b>	6	267.68
<b>East Longmeadow</b>	200	1182.42
<b>Eastham</b>	10	215.22
<b>Easthampton</b>	55	339.22
<b>Easton</b>	213	898.80
<b>Edgartown</b>	6	146.28
<b>Egremont</b>	5	456.27
<b>Erving</b>	5	238.77
<b>Essex</b>	17	456.90



<b>Everett</b>	<b>1212</b>	<b>2497.10</b>
<b>Fairhaven</b>	136	848.38
<b>Fall River</b>	652	728.92
<b>Falmouth</b>	136	435.18
<b>Fitchburg</b>	320	759.15
<b>Florida</b>	<5	*
<b>Foxborough</b>	89	491.36
<b>Framingham</b>	1159	1556.41
<b>Franklin</b>	98	289.84
<b>Freetown</b>	68	751.52
<b>Gardner</b>	116	580.29
<b>Georgetown</b>	35	391.77
<b>Gill</b>	<5	*
<b>Gloucester</b>	188	656.77
<b>Goshen</b>	<5	*
<b>Gosnold</b>	0	0
<b>Grafton</b>	63	315.88
<b>Granby</b>	18	293.09
<b>Granville</b>	8	514.04
<b>Great Barrington</b>	49	721.04
<b>Greenfield</b>	174	1002.05
<b>Groton</b>	29	249.02
<b>Groveland</b>	20	292.67
<b>Hadley</b>	33	573.88
<b>Halifax</b>	29	379.51
<b>Hamilton</b>	22	294.35
<b>Hampden</b>	17	344.08



<b>Hancock</b>	<5	*
<b>Hanover</b>	53	369.99
<b>Hanson</b>	73	681.81
<b>Hardwick</b>	7	211.39
<b>Harvard</b>	15	216.53
<b>Harwich</b>	96	764.14
<b>Hatfield</b>	9	277.17
<b>Haverhill</b>	833	1265.08
<b>Hawley</b>	0	0
<b>Heath</b>	0	0
<b>Hingham</b>	186	781.92
<b>Hinsdale</b>	<5	*
<b>Holbrook</b>	153	1354.58
<b>Holden</b>	70	371.14
<b>Holland</b>	6	234.35
<b>Holliston</b>	44	319.20
<b>Holyoke</b>	678	1645.46
<b>Hopedale</b>	22	387.39
<b>Hopkinton</b>	104	637.47
<b>Hubbardston</b>	5	107.28
<b>Hudson</b>	125	596.76
<b>Hull</b>	35	354.38
<b>Huntington</b>	12	542.65
<b>Ipswich</b>	52	386.71
<b>Kingston</b>	97	715.16
<b>Lakeville</b>	48	425.13
<b>Lancaster</b>	62	723.64



<b>Lanesborough</b>	6	196.97
<b>Lawrence</b>	1975	2239.84
<b>Lee</b>	16	272.12
<b>Leicester</b>	106	941.06
<b>Lenox</b>	12	245.97
<b>Leominster</b>	294	724.28
<b>Leverett</b>	<5	*
<b>Lexington</b>	278	816.56
<b>Leyden</b>	0	0
<b>Lincoln</b>	29	335.15
<b>Littleton</b>	89	915.81
<b>Longmeadow</b>	189	1218.59
<b>Lowell</b>	2002	1713.18
<b>Ludlow</b>	79	378.64
<b>Lunenburg</b>	42	403.58
<b>Lynn</b>	2536	2513.30
<b>Lynnfield</b>	77	661.00
<b>Malden</b>	897	1323.91
<b>Manchester</b>	14	283.04
<b>Mansfield</b>	123	520.39
<b>Marblehead</b>	158	822.16
<b>Marion</b>	7	150.85
<b>Marlborough</b>	581	1337.51
<b>Marshfield</b>	130	502.72
<b>Mashpee</b>	42	273.12
<b>Mattapoisett</b>	22	380.53
<b>Maynard</b>	52	498.34



<b>Medfield</b>	32	280.69
<b>Medford</b>	829	1363.16
<b>Medway</b>	68	519.88
<b>Melrose</b>	181	625.82
<b>Mendon</b>	20	345.24
<b>Merrimac</b>	19	297.34
<b>Methuen</b>	664	1239.94
<b>Middleborough</b>	150	557.17
<b>Middlefield</b>	0	0
<b>Middleton</b>	128	1240.39
<b>Milford</b>	470	1603.92
<b>Millbury</b>	164	1200.84
<b>Millis</b>	39	493.94
<b>Millville</b>	13	366.12
<b>Milton</b>	265	925.61
<b>Monroe</b>	0	0
<b>Monson</b>	22	260.81
<b>Montague</b>	20	233.96
<b>Monterey</b>	0	0
<b>Montgomery</b>	<5	*
<b>Mount Washington</b>	0	0
<b>Nahant</b>	31	947.46
<b>Nantucket</b>	12	105.82
<b>Natick</b>	311	865.75
<b>Needham</b>	251	856.30
<b>New Ashford</b>	0	0
<b>New Bedford</b>	881	884.94



<b>New Braintree</b>	<5	*
<b>New Marlborough</b>	<5	*
<b>New Salem</b>	0	0
<b>Newbury</b>	6	90.24
<b>Newburyport</b>	51	286.46
<b>Newton</b>	588	641.03
<b>Norfolk</b>	22	178.20
<b>North Adams</b>	43	329.32
<b>North Andover</b>	231	763.67
<b>North Attleborough</b>	197	651.99
<b>North Brookfield</b>	10	215.21
<b>North Reading</b>	158	955.56
<b>Northampton</b>	201	687.62
<b>Northborough</b>	150	1095.63
<b>Northbridge</b>	206	1145.44
<b>Northfield</b>	0	0
<b>Norton</b>	104	523.59
<b>Norwell</b>	91	850.08
<b>Norwood</b>	441	1464.52
<b>Oak Bluffs</b>	<5	*
<b>Oakham</b>	<5	*
<b>Orange</b>	31	379.77
<b>Orleans</b>	14	247.88
<b>Otis</b>	<5	*
<b>Oxford</b>	37	268.45
<b>Palmer</b>	31	260.63
<b>Paxton</b>	17	343.49



<b>Peabody</b>	740	1326.98
<b>Pelham</b>	<5	*
<b>Pembroke</b>	59	315.96
<b>Pepperell</b>	35	284.99
<b>Peru</b>	<5	*
<b>Petersham</b>	5	394.70
<b>Phillipston</b>	12	700.03
<b>Pittsfield</b>	138	311.67
<b>Plainfield</b>	0	0
<b>Plainville</b>	47	515.14
<b>Plymouth</b>	317	510.99
<b>Plympton</b>	6	200.73
<b>Princeton</b>	<5	*
<b>Provincetown</b>	21	800.34
<b>Quincy</b>	903	892.82
<b>Randolph</b>	735	2147.93
<b>Raynham</b>	201	1345.65
<b>Reading</b>	221	804.11
<b>Rehoboth</b>	40	317.06
<b>Revere</b>	1307	2145.57
<b>Richmond</b>	5	376.53
<b>Rochester</b>	19	337.02
<b>Rockland</b>	227	1258.56
<b>Rockport</b>	47	717.10
<b>Rowe</b>	<5	*
<b>Rowley</b>	26	421.15
<b>Royalston</b>	<5	*



<b>Russell</b>	8	423.95
<b>Rutland</b>	33	366.30
<b>Salem</b>	445	988.48
<b>Salisbury</b>	37	418.52
<b>Sandisfield</b>	<5	*
<b>Sandwich</b>	67	318.52
<b>Saugus</b>	391	1375.53
<b>Savoy</b>	<5	*
<b>Scituate</b>	84	463.54
<b>Seekonk</b>	51	364.23
<b>Sharon</b>	115	628.05
<b>Sheffield</b>	13	421.12
<b>Shelburne</b>	7	378.53
<b>Sherborn</b>	11	286.66
<b>Shirley</b>	134	1589.73
<b>Shrewsbury</b>	240	609.15
<b>Shutesbury</b>	<5	*
<b>Somerset</b>	80	432.26
<b>Somerville</b>	660	862.31
<b>South Hadley</b>	61	337.03
<b>Southampton</b>	26	432.93
<b>Southborough</b>	35	359.98
<b>Southbridge</b>	66	391.85
<b>Southwick</b>	42	428.86
<b>Spencer</b>	33	286.45
<b>Springfield</b>	1615	1020.00
<b>Sterling</b>	52	660.46



<b>Stockbridge</b>	11	630.90
<b>Stoneham</b>	300	1345.05
<b>Stoughton</b>	485	1753.59
<b>Stow</b>	22	305.14
<b>Sturbridge</b>	27	258.57
<b>Sudbury</b>	98	547.37
<b>Sunderland</b>	7	184.14
<b>Sutton</b>	38	422.95
<b>Swampscott</b>	109	795.23
<b>Swansea</b>	73	457.12
<b>Taunton</b>	690	1204.63
<b>Templeton</b>	98	1097.31
<b>Tewksbury</b>	429	1393.28
<b>Tisbury</b>	<5	*
<b>Tolland</b>	<5	*
<b>Topsfield</b>	100	1711.18
<b>Townsend</b>	24	262.33
<b>Truro</b>	10	506.37
<b>Tyngsborough</b>	79	658.84
<b>Tyringham</b>	<5	*
<b>Upton</b>	15	165.91
<b>Uxbridge</b>	55	356.83
<b>Wakefield</b>	244	903.54
<b>Wales</b>	<5	*
<b>Walpole</b>	178	687.24
<b>Waltham</b>	872	1308.14
<b>Ware</b>	17	167.67



<b>Wareham</b>	162	676.39
<b>Warren</b>	12	221.32
<b>Warwick</b>	0	0
<b>Washington</b>	<5	*
<b>Watertown</b>	305	919.43
<b>Wayland</b>	83	624.91
<b>Webster</b>	100	581.70
<b>Wellesley</b>	200	672.62
<b>Wellfleet</b>	<5	*
<b>Wendell</b>	0	0
<b>Wenham</b>	12	230.50
<b>West Boylston</b>	29	369.42
<b>West Bridgewater</b>	76	1048.63
<b>West Brookfield</b>	10	269.57
<b>West Newbury</b>	5	122.50
<b>West Springfield</b>	256	869.06
<b>West Stockbridge</b>	<5	*
<b>West Tisbury</b>	7	242.81
<b>Westborough</b>	251	1332.12
<b>Westfield</b>	384	923.56
<b>Westford</b>	120	518.60
<b>Westhampton</b>	<5	*
<b>Westminster</b>	17	231.86
<b>Weston</b>	89	802.25
<b>Westport</b>	54	324.44
<b>Westwood</b>	93	630.96
<b>Weymouth</b>	560	998.87



<b>Whately</b>	<5	*
<b>Whitman</b>	147	953.32
<b>Wilbraham</b>	152	1045.22
<b>Williamsburg</b>	9	364.84
<b>Williamstown</b>	80	1085.67
<b>Wilmington</b>	288	1181.63
<b>Winchendon</b>	58	539.70
<b>Winchester</b>	79	353.88
<b>Windsor</b>	0	0
<b>Winthrop</b>	196	1039.94
<b>Woburn</b>	424	1021.91
<b>Worcester</b>	2989	1557.84
<b>Worthington</b>	0	0
<b>Wrentham</b>	145	1286.09
<b>Yarmouth</b>	80	333.01
<b>Unknown<sup>1</sup></b>	326	*
<b>State Total</b>	72025	1033.83

Data are current as of 12:00 pm on 5/6/2020; For populations <50,000, <5 cases are reported as such or suppressed for confidentiality purposes.

<sup>1</sup>Address information for these cases are currently being obtained.

Bureau of Infectious Disease and

Laboratory Sciences calculates rates per 100,000 population using denominators estimated by the University of Massachusetts Donahue Institute using a modified Hamilton-Perry model ( Strate S, et al. Small Area Population Estimates for 2011 through 2020, report published Oct 2016.)

	<b>Town</b>	<b>Count</b>	<b>Rate</b>	
14	Ashfield	<5	*	
44	Brimfield	<5	*	
59	Cheshire	<5	*	
61	Chesterfield	<5	*	
63	Chilmark	<5	*	
67	Colrain	<5	*	
69	Conway	<5	*	
70	Cummington	<5	*	
99	Florida	<5	*	
106	Gill	<5	*	
108	Goshen	<5	*	
121	Hancock	<5	*	
132	Hinsdale	<5	*	
154	Leverett	<5	*	
194	Montgomery	<5	*	
202	New Braintree	<5	*	
203	New Marlborough	<5	*	
221	Oak Bluffs	<5	*	
222	Oakham	<5	*	
225	Otis	<5	*	
230	Pelham	<5	*	
233	Peru	<5	*	
241	Princeton	<5	*	
253	Rowe	<5	*	
255	Royalston	<5	*	
260	Sandisfield	<5	*	
263	Savoy	<5	*	
272	Shutesbury	<5	*	
296	Tisbury	<5	*	
297	Tolland	<5	*	
302	Tyringham	<5	*	
306	Wales	<5	*	
313	Washington	<5	*	
318	Wellfleet	<5	*	
326	West Stockbridge	<5	*	
331	Westhampton	<5	*	
337	Whately	<5	*	
	Unknown 1	326	*	
58	Chelsea	2244	5957.85	1
45	Brockton	3179	3235.68	2
163	Lynn	2536	2513.3	3
94	Everett	1212	2497.1	4
149	Lawrence	1975	2239.84	5
244	Randolph	735	2147.93	6
248	Revere	1307	2145.57	7
72	Danvers	539	1887.53	8
285	Stoughton	485	1753.59	9
160	Lowell	2002	1713.18	10

	<b>Town</b>	<b>Count</b>	<b>Rate</b>	
298	Topsfield	100	1711.18	11
41	Braintree	668	1697.17	12
137	Holyoke	678	1645.46	13
185	Milford	470	1603.92	14
270	Shirley	134	1589.73	15
348	Worcester	2989	1557.84	16
101	Framingham	1159	1556.41	17
36	<b>Boston</b>	<b>10729</b>	<b>1543.81</b>	<b>18</b>
220	Norwood	441	1464.52	19
295	Tewksbury	429	1393.28	20
262	Saugus	391	1375.53	21
176	Medford	829	1363.16	22
133	Holbrook	153	1354.58	23
245	Raynham	201	1345.65	24
284	Stoneham	300	1345.05	25
170	Marlborough	581	1337.51	26
328	Westborough	251	1332.12	27
229	Peabody	740	1326.98	28
165	Malden	897	1323.91	29
308	Waltham	872	1308.14	30
350	Wrentham	145	1286.09	31
19	Avon	56	1278.34	32
24	Bedford	190	1275.48	33
128	Haverhill	833	1265.08	34
251	Rockland	227	1258.56	35
184	Middleton	128	1240.39	36
181	Methuen	664	1239.94	37
159	Longmeadow	189	1218.59	38
293	Taunton	690	1204.63	39
186	Millbury	164	1200.84	40
86	East Longmeadow	200	1182.42	41
342	Wilmington	288	1181.63	42
5	Agawam	333	1164.16	43
216	Northbridge	206	1145.44	44
294	Templeton	98	1097.31	45
215	Northborough	150	1095.63	46
341	Williamstown	80	1085.67	47
80	Dracut	349	1080.32	48
74	Dedham	290	1069.13	49
31	Beverly	440	1068.83	50
322	West Bridgewater	76	1048.63	51
339	Wilbraham	152	1045.22	52
346	Winthrop	196	1039.94	53
17	Attleboro	480	1037.44	54
51	Canton	239	1036.22	55
347	Woburn	424	1021.91	56
281	Springfield	1615	1020	57
43	Bridgewater	287	1008.89	58

	<b>Town</b>	<b>Count</b>	<b>Rate</b>	
84	East Bridgewater	148	1002.96	59
114	Greenfield	174	1002.05	60
336	Weymouth	560	998.87	61
258	Salem	445	988.48	62
1	Abington	177	985.47	63
65	Clinton	135	959.13	64
213	North Reading	158	955.56	65
338	Whitman	147	953.32	66
196	Nahant	31	947.46	67
151	Leicester	106	941.06	68
7	Amesbury	156	937.2	69
189	Milton	265	925.61	70
329	Westfield	384	923.56	71
18	Auburn	152	921.64	72
32	Billerica	401	920.08	73
314	Watertown	305	919.43	74
42	Brewster	91	918.05	75
158	Littleton	89	915.81	76
305	Wakefield	244	903.54	77
89	Easton	213	898.8	78
243	Quincy	903	892.82	79
201	New Bedford	881	884.94	80
325	West Springfield	256	869.06	81
198	Natick	311	865.75	82
274	Somerville	660	862.31	83
199	Needham	251	856.3	84
219	Norwell	91	850.08	85
95	Fairhaven	136	848.38	86
168	Marblehead	158	822.16	87
155	Lexington	278	816.56	88
246	Reading	221	804.11	89
333	Weston	89	802.25	90
242	Provincetown	21	800.34	91
291	Swampscott	109	795.23	92
57	Chelmsford	283	786.51	93
131	Hingham	186	781.92	94
126	Harwich	96	764.14	95
210	North Andover	231	763.67	96
98	Fitchburg	320	759.15	97
22	Barre	42	755.7	98
103	Freetown	68	751.52	99
15	Ashland	145	743.86	100
50	Cambridge	826	732.36	101
49	Burlington	201	727.12	102
153	Leominster	294	724.28	103
147	Lancaster	62	723.64	104
113	Great Barrington	49	721.04	105
252	Rockport	47	717.1	106

	<b>Town</b>	<b>Count</b>	<b>Rate</b>	
145	Kingston	97	715.16	107
68	Concord	133	710.28	108
235	Phillipston	12	700.03	109
214	Northampton	201	687.62	110
307	Walpole	178	687.24	111
123	Hanson	73	681.81	112
310	Wareham	162	676.39	113
317	Wellesley	200	672.62	114
27	Belmont	182	666.52	115
164	Lynnfield	77	661	116
282	Sterling	52	660.46	117
301	Tyngsborough	79	658.84	118
107	Gloucester	188	656.77	119
96	Fall River	652	728.92	120
211	North Attleborough	197	651.99	121
207	Newton	588	641.03	122
139	Hopkinton	104	637.47	123
335	Westwood	93	630.96	124
283	Stockbridge	11	630.9	125
266	Sharon	115	628.05	126
178	Melrose	181	625.82	127
315	Wayland	83	624.91	128
23	Becket	11	610.96	129
271	Shrewsbury	240	609.15	130
28	Berkley	41	604.7	131
141	Hudson	125	596.76	132
37	Bourne	124	592.73	133
9	Andover	210	583.09	134
316	Webster	100	581.7	135
104	Gardner	116	580.29	136
117	Hadley	33	573.88	137
77	Dighton	44	560.81	138
182	Middleborough	150	557.17	139
20	Ayer	45	556.93	140
73	Dartmouth	205	556.77	141
288	Sudbury	98	547.37	142
143	Huntington	12	542.65	143
11	Arlington	248	541.38	144
343	Winchendon	58	539.7	145
26	Bellingham	96	537.02	146
21	Barnstable	238	530.71	147
218	Norton	104	523.59	148
167	Mansfield	123	520.39	149
177	Medway	68	519.88	150
330	Westford	120	518.6	151
238	Plainville	47	515.14	152
112	Granville	8	514.04	153
239	Plymouth	317	510.99	154

	<b>Town</b>	<b>Count</b>	<b>Rate</b>	
300	Truro	10	506.37	155
62	Chicopee	288	505.13	156
171	Marshfield	130	502.72	157
174	Maynard	52	498.34	158
187	Millis	39	493.94	159
100	Foxborough	89	491.36	160
47	Brookline	308	478.38	161
264	Scituate	84	463.54	162
81	Dudley	57	460.28	163
292	Swansea	73	457.12	164
93	Essex	17	456.9	165
91	Egremont	5	456.27	166
3	Acushnet	47	449.61	167
29	Berlin	14	438.43	168
97	Falmouth	136	435.18	169
25	Belchertown	69	433.34	170
276	Southampton	26	432.93	171
273	Somerset	80	432.26	172
279	Southwick	42	428.86	173
146	Lakeville	48	425.13	174
256	Russell	8	423.95	175
290	Sutton	38	422.95	176
254	Rowley	26	421.15	177
267	Sheffield	13	421.12	178
259	Salisbury	37	418.52	179
64	Clarksburg	7	415.82	180
76	Dennis	54	408.36	181
162	Lunenburg	42	403.58	182
2	Acton	95	400.3	183
234	Petersham	5	394.7	184
278	Southbridge	66	391.85	185
105	Georgetown	35	391.77	186
39	Boxford	30	388.74	187
138	Hopedale	22	387.39	188
144	Ipswich	52	386.71	189
4	Adams	32	386.44	190
173	Mattapoisett	22	380.53	191
223	Orange	31	379.77	192
118	Halifax	29	379.51	193
161	Ludlow	79	378.64	194
268	Shelburne	7	378.53	195
249	Richmond	5	376.53	196
48	Buckland	7	376.25	197
38	Boxborough	19	372	198
134	Holden	70	371.14	199
122	Hanover	53	369.99	200
321	West Boylston	29	369.42	201
60	Chester	5	368.42	202

	<b>Town</b>	<b>Count</b>	<b>Rate</b>	
257	Rutland	33	366.3	203
188	Millville	13	366.12	204
340	Williamsburg	9	364.84	205
265	Seekonk	51	364.23	206
277	Southborough	35	359.98	207
304	Uxbridge	55	356.83	208
142	Hull	35	354.38	209
344	Winchester	79	353.88	210
83	Duxbury	53	350.22	211
179	Mendon	20	345.24	212
120	Hampden	17	344.08	213
228	Paxton	17	343.49	214
16	Athol	41	342.66	215
88	Easthampton	55	339.22	216
275	South Hadley	61	337.03	217
250	Rochester	19	337.02	218
157	Lincoln	29	335.15	219
351	Yarmouth	80	333.01	220
209	North Adams	43	329.32	221
334	Westport	54	324.44	222
33	Blackstone	29	320.64	223
55	Charlton	45	319.78	224
136	Holliston	44	319.2	225
261	Sandwich	67	318.52	226
247	Rehoboth	40	317.06	227
231	Pembroke	59	315.96	228
110	Grafton	63	315.88	229
53	Carver	38	312.08	230
236	Pittsfield	138	311.67	231
78	Douglas	29	308.52	232
286	Stow	22	305.14	233
180	Merrimac	19	297.34	234
119	Hamilton	22	294.35	235
111	Granby	18	293.09	236
116	Groveland	20	292.67	237
102	Franklin	98	289.84	238
40	Boylston	13	289.61	239
30	Bernardston	6	286.94	240
269	Sherborn	11	286.66	241
206	Newburyport	51	286.46	242
280	Spencer	33	286.45	243
232	Pepperell	35	284.99	244
166	Manchester	14	283.04	245
175	Medfield	32	280.69	246
127	Hatfield	9	277.17	247
172	Mashpee	42	273.12	248
150	Lee	16	272.12	249
12	Ashburnham	17	270.7	250

	<b>Town</b>	<b>Count</b>	<b>Rate</b>	
66	Cohasset	20	270.29	251
323	West Brookfield	10	269.57	252
79	Dover	14	268.65	253
226	Oxford	37	268.45	254
85	East Brookfield	6	267.68	255
299	Townsend	24	262.33	256
191	Monson	22	260.81	257
227	Palmer	31	260.63	258
287	Sturbridge	27	258.57	259
115	Groton	29	249.02	260
224	Orleans	14	247.88	261
152	Lenox	12	245.97	262
327	West Tisbury	7	242.81	263
92	Erving	5	238.77	264
135	Holland	6	234.35	265
192	Montague	20	233.96	266
332	Westminster	17	231.86	267
13	Ashby	8	231.38	268
320	Wenham	12	230.5	269
311	Warren	12	221.32	270
46	Brookfield	8	218.48	271
125	Harvard	15	216.53	272
87	Eastham	10	215.22	273
212	North Brookfield	10	215.21	274
124	Hardwick	7	211.39	275
82	Dunstable	7	210.08	276
240	Plympton	6	200.73	277
35	Bolton	10	197.92	278
148	Lanesborough	6	196.97	279
52	Carlisle	9	188.73	280
289	Sunderland	7	184.14	281
208	Norfolk	22	178.2	282
56	Chatham	10	170.76	283
309	Ware	17	167.67	284
303	Upton	15	165.91	285
169	Marion	7	150.85	286
8	Amherst	60	148.16	287
90	Edgartown	6	146.28	288
324	West Newbury	5	122.5	289
75	Deerfield	6	112.52	290
71	Dalton	7	107.33	291
140	Hubbardston	5	107.28	292
197	Nantucket	12	105.82	293
205	Newbury	6	90.24	294
6	Alford	0	0	295
10	Aquinnah	0	0	296
34	Blandford	0	0	297
54	Charlemont	0	0	298

	Town	Count	Rate	
109	Gosnold	0	0	299
129	Hawley	0	0	300
130	Heath	0	0	301
156	Leyden	0	0	302
183	Middlefield	0	0	303
190	Monroe	0	0	304
193	Monterey	0	0	305
195	Mount Washington	0	0	306
200	New Ashford	0	0	307
204	New Salem	0	0	308
217	Northfield	0	0	309
237	Plainfield	0	0	310
312	Warwick	0	0	311
319	Wendell	0	0	312
345	Windsor	0	0	313
349	Worthington	0	0	314
	<b>State Total</b>	<b>72025</b>	<b>1033.83</b>	<b>56</b>
<p>Data are current as of 12:00 pm on 5/6/2020; For populations &lt;50,000, &lt;5 cases are reported as such or suppressed for confidentiality purposes. Address information for these cases are currently being obtained. Bureau of Infectious Disease and Laboratory Sciences calculates rates per 100,000 population using denominators estimated by the University of Massachusetts Donahue Institute using a modified Hamilton-Perry model (Strate S, et al. Small Area Population Estimates for 2011 through 2020, report published Oct 2016.)</p> <p><a href="https://www.mass.gov/doc/confirmed-covid-19-cases-in-ma-by-citytown-january-1-2020-may-6-2020-0/download">https://www.mass.gov/doc/confirmed-covid-19-cases-in-ma-by-citytown-january-1-2020-may-6-2020-0/download</a></p>				

## QuickFacts

What's New & FAQs >

Boston city, Massachusetts; Randolph Town city, Massachusetts; Everett city, Massachusetts; Chelsea city, Massachusetts; Massachusetts

QuickFacts provides statistics for all states and counties, and for cities and towns with a population of 5,000 or more.

Q Enter state, county, city, town, or zip code

-- Select a fact --

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TABLE

MAP

CHART

DASHBOARD

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Table

All Topics	Boston city, Massachusetts	Randolph Town city, Massachusetts	Everett city, Massachusetts	Chelsea city, Massachusetts	Massachusetts
Population estimates, July 1, 2019, (V2019)	692,600	34,362	46,451	39,690	6,892,503
<b>PEOPLE</b>					
<b>Population</b>					
Population estimates, July 1, 2019, (V2019)	692,600	34,362	46,451	39,690	6,892,503
Population estimates base, April 1, 2010, (V2019)	617,792	32,100	41,553	35,181	6,547,785
Population, percent change - April 1, 2010 (estimates base) to July 1, 2019, (V2019)	12.1%	7.0%	11.8%	12.8%	5.3%
Population, Census, April 1, 2010	617,594	32,112	41,667	35,177	6,547,029
<b>Age and Sex</b>					
Persons under 5 years, percent	Δ 5.1%	Δ 5.5%	Δ 7.5%	Δ 8.8%	Δ 5.2%
Persons under 18 years, percent	Δ 16.2%	Δ 19.0%	Δ 24.6%	Δ 25.9%	Δ 19.6%
Persons 65 years and over, percent	Δ 11.2%	Δ 16.5%	Δ 10.5%	Δ 8.9%	Δ 17.0%
Female persons, percent	Δ 51.9%	Δ 53.1%	Δ 51.1%	Δ 49.0%	Δ 51.5%
<b>Race and Hispanic Origin</b>					
White alone, percent	Δ 52.6%	Δ 38.1%	Δ 59.2%	Δ 50.8%	Δ 80.6%
Black or African American alone, percent (a)	Δ 25.3%	Δ 40.6%	Δ 19.0%	Δ 6.9%	Δ 9.0%
American Indian and Alaska Native alone, percent (a)	Δ 0.3%	Δ 0.0%	Δ 1.0%	Δ 0.1%	Δ 0.5%
Asian alone, percent (a)	Δ 9.6%	Δ 12.1%	Δ 6.9%	Δ 3.2%	Δ 7.2%
Native Hawaiian and Other Pacific Islander alone, percent (a)	Δ 0.0%	Δ 0.1%	Δ 0.1%	Δ 0.0%	Δ 0.1%
Two or More Races, percent	Δ 5.1%	Δ 3.6%	Δ 5.0%	Δ 31.0%	Δ 2.6%
Hispanic or Latino, percent (b)	Δ 19.7%	Δ 9.0%	Δ 26.5%	Δ 66.9%	Δ 12.4%
White alone, not Hispanic or Latino, percent	Δ 44.5%	Δ 33.8%	Δ 44.6%	Δ 21.5%	Δ 71.1%
<b>Population Characteristics</b>					
Veterans, 2014-2018	16,547	1,283	971	585	315,859
Foreign born persons, percent, 2014-2018	28.5%	32.2%	40.3%	45.5%	16.5%
<b>Housing</b>					
Housing units, July 1, 2019, (V2019)	X	X	X	X	2,928,732
Owner-occupied housing unit rate, 2014-2018	35.2%	68.5%	37.9%	26.1%	62.3%
Median value of owner-occupied housing units, 2014-2018	\$487,300	\$301,000	\$381,300	\$323,400	\$366,800

2010 April 1 Census Quick Facts: Boston Randolph Everett Chelsea Massachusetts

ADD/52

1 Median selected monthly owner costs -with a mortgage, 2014-2018	\$2,369	\$2,126	\$2,257	\$2,079	\$2,165
1 Median selected monthly owner costs -without a mortgage, 2014-2018	\$804	\$774	\$725	\$778	\$786
1 Median gross rent, 2014-2018	\$1,539	\$1,331	\$1,388	\$1,361	\$1,225
1 Building permits, 2019	X	X	X	X	17,365
<b>Families &amp; Living Arrangements</b>					
1 Households, 2014-2018	266,724	12,237	15,816	13,151	2,601,914
1 Persons per household, 2014-2018	2.37	2.74	2.89	2.97	2.53
1 Living in same house 1 year ago, percent of persons age 1 year+, 2014-2018	79.9%	91.4%	86.4%	84.9%	87.1%
1 Language other than English spoken at home, percent of persons age 5 years+, 2014-2018	38.0%	40.0%	56.2%	70.3%	23.6%
<b>Computer and Internet Use</b>					
1 Households with a computer, percent, 2014-2018	89.7%	90.0%	88.7%	85.9%	90.1%
1 Households with a broadband Internet subscription, percent, 2014-2018	83.6%	82.9%	82.3%	76.6%	84.7%
<b>Education</b>					
1 High school graduate or higher, percent of persons age 25 years+, 2014-2018	86.4%	85.8%	81.0%	69.8%	90.4%
1 Bachelor's degree or higher, percent of persons age 25 years+, 2014-2018	48.5%	27.1%	20.3%	17.5%	42.9%
<b>Health</b>					
1 With a disability, under age 65 years, percent, 2014-2018	8.8%	10.4%	6.8%	9.9%	7.9%
1 Persons without health insurance, under age 65 years, percent	4.2%	4.4%	7.0%	7.3%	3.2%
<b>Economy</b>					
1 In civilian labor force, total, percent of population age 16 years+, 2014-2018	68.8%	69.0%	71.5%	71.1%	67.1%
1 In civilian labor force, female, percent of population age 16 years+, 2014-2018	66.4%	64.9%	65.5%	63.7%	63.4%
1 Total accommodation and food services sales, 2012 (\$1,000) (c)	4,409,241	53,287	□	46,891	17,508,975
1 Total health care and social assistance receipts/revenue, 2012 (\$1,000) (c)	16,734,496	94,509	□	156,481	63,583,090
1 Total manufacturers shipments, 2012 (\$1,000) (c)	3,334,504	315,970	151,221	391,495	81,927,799
1 Total merchant wholesaler sales, 2012 (\$1,000) (d)	7,074,780	423,557	1,194,344	□	123,904,370
1 Total retail sales, 2012 (\$1,000) (c)	7,885,597	288,819	451,802	485,671	92,915,380
1 Total retail sales per capita, 2012 (c)	\$12,369	\$8,693	\$10,614	\$13,188	\$13,980
<b>Transportation</b>					
1 Mean travel time to work (minutes), workers age 16 years+, 2014-2018	30.8	35.7	36.2	33.0	29.7
<b>Income &amp; Poverty</b>					
1 Median household income (in 2018 dollars), 2014-2018	\$65,883	\$73,697	\$60,482	\$53,280	\$77,378
1 Per capita income in past 12 months (in 2018 dollars), 2014-2018	\$42,010	\$33,476	\$26,591	\$24,338	\$41,794
1 Persons in poverty, percent	20.2%	10.8%	13.3%	18.8%	10.0%

BUSINESSES					
Businesses					
Total employer establishments, 2018	X	X	X	X	180,307
Total employment, 2018	X	X	X	X	3,323,852
Total annual payroll, 2018 (\$1,000)	X	X	X	X	227,920,705
Total employment, percent change, 2017-2018	X	X	X	X	0.2%
Total nonemployer establishments, 2018	X	X	X	X	573,754
All firms, 2012	59,268	2,435	3,097	2,149	607,664
Men-owned firms, 2012	33,543	1,401	1,774	1,322	357,158
Women-owned firms, 2012	19,390	765	921	616	199,210
Minority-owned firms, 2012	17,686	1,079	1,240	1,019	89,967
Nonminority-owned firms, 2012	37,403	1,252	1,746	1,022	499,959
Veteran-owned firms, 2012	4,569	230	287	156	58,339
Nonveteran-owned firms, 2012	50,282	2,109	2,654	1,883	525,667
GEOGRAPHY					
Geography					
Population per square mile, 2010	12,792.7	3,265.4	12,165.5	15,902.8	839.4
Land area in square miles, 2010	48.28	9.83	3.43	2.21	7,800.06
FIPS Code	2507000	2556000	2521990	2513205	25

About datasets used in this table

#### Value Notes

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#### Fact Notes

- (a) Includes persons reporting only one race
- (b) Hispanics may be of any race, so also are included in applicable race categories
- (c) Economic Census - Puerto Rico data are not comparable to U.S. Economic Census data

#### Value Flags

- Either no or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest or upper interval of an open ended distribution.
- D Suppressed to avoid disclosure of confidential information
- F Fewer than 25 firms
- FN Footnote on this item in place of data
- N Data for this geographic area cannot be displayed because the number of sample cases is too small.
- NA Not available
- S Suppressed; does not meet publication standards
- X Not applicable
- Z Value greater than zero but less than half unit of measure shown

QuickFacts data are derived from: Population Estimates, American Community Survey, Census of Population and Housing, Current Population Survey, Small Area Health Insurance Estimates, Small Area Income and Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits.

## QuickFacts

Milton CDP, Massachusetts; Cambridge city, Massachusetts; Somerville city, Massachusetts; Massachusetts

QuickFacts provides statistics for all states and counties, and for cities and towns with a population of 5,000 or more

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### Table

All Topics	Milton CDP, Massachusetts	Cambridge city, Massachusetts	Somerville city, Massachusetts	Massachusetts
Population estimates, July 1, 2019, (V2019)	X	118,927	81,360	6,892,503
PEOPLE				
Population				
Population estimates, July 1, 2019, (V2019)	X	118,927	81,360	6,892,503
Population estimates base, April 1, 2010, (V2019)	X	105,148	75,701	6,547,785
Population, percent change - April 1, 2010 (estimates base) to July 1, 2019, (V2019)	X	13.1%	7.5%	5.3%
Population, Census, April 1, 2010	27,003	105,162	75,754	6,547,629
Age and Sex				
Persons under 5 years, percent	6.8%	4.4%	4.2%	5.2%
Persons under 18 years, percent	24.8%	12.4%	11.4%	19.6%
Persons 65 years and over, percent	16.0%	11.3%	9.1%	17.0%
Female persons, percent	52.9%	50.6%	49.7%	51.5%
Race and Hispanic Origin				
White alone, percent	74.1%	67.0%	76.0%	80.6%
Black or African American alone, percent (a)	15.0%	11.0%	6.8%	9.0%
American Indian and Alaska Native alone, percent (a)	0.2%	0.2%	0.1%	0.5%
Asian alone, percent (a)	6.5%	16.0%	9.7%	7.2%
Native Hawaiian and Other Pacific Islander alone, percent (a)	0.0%	0.1%	0.0%	0.1%
Two or More Races, percent	3.3%	4.1%	3.9%	2.6%
Hispanic or Latino, percent (b)	3.2%	9.2%	10.8%	12.4%
White alone, not Hispanic or Latino, percent	72.4%	60.8%	69.6%	71.1%
Population Characteristics				
Veterans, 2014-2018	1,153	1,967	1,453	315,859
Foreign born persons, percent, 2014-2018	14.6%	28.8%	24.0%	16.5%
Housing				
Housing units, July 1, 2019, (V2019)	X	X	X	2,928,732
Owner-occupied housing unit rate, 2014-2018	84.0%	35.8%	33.8%	62.3%
Median value of owner-occupied housing units, 2014-2018	\$586,200	\$719,300	\$616,100	\$366,800

2010 April 1 Census Quick Facts: Milton Cambridge Somerville Massachusetts  
ADD/55

5 Median selected monthly owner costs -with a mortgage, 2014-2018	\$2,940	\$2,664	\$2,485	\$2,165
1 Median selected monthly owner costs -without a mortgage, 2014-2018	\$1,117	\$856	\$861	\$786
2 Median gross rent, 2014-2018	\$1,459	\$2,071	\$1,763	\$1,225
1 Building permits, 2019	X	X	X	17,365
<b>Families &amp; Living Arrangements</b>				
1 Households, 2014-2018	8,881	46,184	32,851	2,601,914
1 Persons per household, 2014-2018	2.90	2.14	2.36	2.53
1 Living in same house 1 year ago, percent of persons age 1 year+, 2014-2018	89.2%	74.8%	76.6%	87.1%
1 Language other than English spoken at home, percent of persons age 5 years+, 2014-2018	19.2%	33.4%	28.6%	23.6%
<b>Computer and Internet Use</b>				
1 Households with a computer, percent, 2014-2018	92.7%	93.3%	90.5%	90.1%
1 Households with a broadband Internet subscription, percent, 2014-2018	88.9%	86.7%	86.7%	84.7%
<b>Education</b>				
1 High school graduate or higher, percent of persons age 25 years+, 2014-2018	95.2%	95.1%	90.9%	90.4%
1 Bachelor's degree or higher, percent of persons age 25 years+, 2014-2018	61.0%	77.4%	64.0%	42.9%
<b>Health</b>				
1 With a disability, under age 65 years, percent, 2014-2018	3.9%	4.4%	5.3%	7.9%
1 Persons without health insurance, under age 65 years, percent	1.2%	2.3%	3.4%	3.2%
<b>Economy</b>				
1 In civilian labor force, total, percent of population age 16 years+, 2014-2018	68.4%	69.6%	78.3%	67.1%
1 In civilian labor force, female, percent of population age 16 years+, 2014-2018	65.6%	67.1%	74.9%	63.4%
1 Total accommodation and food services sales, 2012 (\$1,000) (C)	0	784,162	167,081	17,508,975
1 Total health care and social assistance receipts/revenue, 2012 (\$1,000) (C)	0	1,491,383	511,848	63,583,090
1 Total manufacturers shipments, 2012 (\$1,000) (C)	0	484,625	375,470	81,927,799
1 Total merchant wholesaler sales, 2012 (\$1,000) (C)	0	1,696,928	246,549	123,904,370
1 Total retail sales, 2012 (\$1,000) (C)	0	1,368,450	759,415	92,915,380
1 Total retail sales per capita, 2012 (C)	NA	\$12,834	\$9,849	\$13,980
<b>Transportation</b>				
1 Mean travel time to work (minutes), workers age 16 years+, 2014-2018	34.1	26.1	32.0	29.7
<b>Income &amp; Poverty</b>				
1 Median household income (in 2018 dollars), 2014-2018	\$127,448	\$95,404	\$91,168	\$77,378
1 Per capita income in past 12 months (in 2018 dollars), 2014-2018	\$54,831	\$54,685	\$47,276	\$41,794
1 Persons in poverty, percent	4.4%	13.2%	11.9%	10.0%

2010 April 1 Census Quick Facts: Milton Cambridge Somerville Massachusetts

BUSINESSES				
Businesses				
Total employer establishments, 2018	X	X	X	180,307
Total employment, 2018	X	X	X	3,323,852
Total annual payroll, 2018 (\$1,000)	X	X	X	227,920,705
Total employment, percent change, 2017-2018	X	X	X	0.2%
Total nonemployer establishments, 2018	X	X	X	573,754
All firms, 2012	F	13,156	7,741	607,664
Men-owned firms, 2012	F	7,049	4,256	357,158
Women-owned firms, 2012	F	4,783	3,110	199,210
Minority-owned firms, 2012	F	2,527	1,379	89,967
Nonminority-owned firms, 2012	F	9,581	6,180	499,959
Veteran-owned firms, 2012	F	1,034	555	58,339
Nonveteran-owned firms, 2012	F	11,144	7,001	525,687
GEOGRAPHY				
Geography				
Population per square mile, 2010	2,076.4	16,470.2	16,404.8	839.4
Land area in square miles, 2010	13.01	6.39	4.12	7,800.06
FIPS Code	2541725	2511000	2562535	25

[About datasets used in this table](#)

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## QuickFacts

United States; Suffolk County, Massachusetts; Norfolk County, Massachusetts; Plymouth County, Massachusetts; Middlesex County, Massachusetts; Essex County, Massachusetts

QuickFacts provides statistics for all states and counties, and for cities and towns with a population of 5,000 or more.

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### Table

All Topics	United States	Suffolk County, Massachusetts	Norfolk County, Massachusetts	Plymouth County, Massachusetts	Middlesex County, Massachusetts	Essex County, Massachusetts
Population estimates, July 1, 2019, (V2019)	328,239,523	803,907	706,775	521,202	1,611,699	789,034
PEOPLE						
Population						
Population estimates, July 1, 2019, (V2019)	328,239,523	803,907	706,775	521,202	1,611,699	789,034
Population estimates base, April 1, 2010, (V2019)	308,758,105	722,183	670,910	494,932	1,503,133	743,082
Population, percent change - April 1, 2010 (estimates base) to July 1, 2019, (V2019)	6.3%	11.3%	5.3%	5.3%	7.2%	6.2%
Population, Census, April 1, 2010	308,745,538	722,023	670,850	494,919	1,503,085	743,159
Age and Sex						
Persons under 5 years, percent	6.0%	5.1%	5.3%	5.3%	5.2%	5.6%
Persons under 18 years, percent	22.3%	16.4%	20.7%	21.2%	19.6%	21.1%
Persons 65 years and over, percent	16.5%	12.3%	17.2%	18.6%	15.7%	17.6%
Female persons, percent	50.8%	51.7%	51.9%	51.4%	51.0%	51.8%
Race and Hispanic Origin						
White alone, percent	76.3%	61.7%	77.6%	84.2%	78.2%	85.1%
Black or African American alone, percent (a)	13.4%	24.3%	8.0%	11.7%	5.9%	7.1%
American Indian and Alaska Native alone, percent (a)	1.3%	0.7%	0.2%	0.3%	0.3%	0.9%
Asian alone, percent (b)	5.9%	9.3%	12.0%	1.6%	13.1%	3.9%
Native Hawaiian and Other Pacific Islander alone, percent (a)	0.2%	0.2%	0.1%	0.1%	0.1%	0.2%
Two or More Races, percent	2.8%	3.7%	2.1%	2.0%	2.5%	2.8%
Hispanic or Latino, percent (b)	18.5%	23.3%	5.0%	4.2%	8.3%	22.2%
White alone, not Hispanic or Latino, percent	60.1%	45.2%	73.8%	81.1%	71.2%	69.0%
Population Characteristics						
Veterans, 2014-2018	18,811,432	19,788	30,450	29,831	59,816	34,152
Foreign born persons, percent, 2014-2018	13.5%	29.8%	17.7%	9.3%	21.0%	16.7%
Housing						
Housing units, July 1, 2019, (V2019)	139,684,244	345,414	281,778	209,542	645,291	314,723
Owner-occupied housing unit rate, 2014-2018	63.8%	36.1%	69.2%	75.9%	62.4%	64.1%
Median value of owner-occupied housing units, 2014-2018	\$204,900	\$463,200	\$452,500	\$356,700	\$476,500	\$389,900

2010 April 1 Census Quick Facts: USA Suffolk Morfolk Plymouth Middlesex Essex

ADD/58

1 Median selected monthly owner costs -with a mortgage, 2014-2018	\$1,558	\$2,341	\$2,487	\$2,205	\$2,529	\$2,273
1 Median selected monthly owner costs -without a mortgage, 2014-2018	\$490	\$819	\$920	\$805	\$923	\$840
1 Median gross rent, 2014-2018	\$1,023	\$1,506	\$1,520	\$1,227	\$1,541	\$1,189
2 Building permits, 2019	1,386,048	3,169	2,078	1,114	5,569	1,134
<b>Families &amp; Living Arrangements</b>						
1 Households, 2014-2018	119,730,128	307,870	263,551	186,306	600,032	292,659
1 Persons per household, 2014-2018	2.63	2.41	2.58	2.69	2.56	2.61
1 Living in same house 1 year ago, percent of persons age 1 year+, 2014-2018	85.5%	80.9%	88.4%	89.6%	86.5%	89.1%
1 Language other than English spoken at home, percent of persons age 5 years+, 2014-2018	21.5%	40.1%	21.7%	13.2%	26.4%	26.0%
<b>Computer and Internet Use</b>						
1 Households with a computer, percent, 2014-2018	88.8%	89.1%	92.6%	92.0%	92.2%	89.7%
1 Households with a broadband Internet subscription, percent, 2014-2018	80.4%	82.8%	88.6%	86.9%	88.2%	84.2%
<b>Education</b>						
1 High school graduate or higher, percent of persons age 25 years+, 2014-2018	87.7%	85.5%	93.9%	92.9%	93.1%	89.3%
1 Bachelor's degree or higher, percent of persons age 25 years+, 2014-2018	31.5%	44.8%	53.0%	36.7%	55.2%	39.4%
<b>Health</b>						
1 With a disability, under age 65 years, percent, 2014-2018	8.6%	8.6%	6.0%	7.6%	5.7%	8.0%
1 Persons without health insurance, under age 65 years, percent	Δ 10.0%	Δ 4.4%	Δ 2.4%	Δ 2.8%	Δ 2.8%	Δ 3.8%
<b>Economy</b>						
1 In civilian labor force, total, percent of population age 16 years+, 2014-2018	62.9%	68.7%	68.9%	67.6%	69.7%	67.3%
1 In civilian labor force, female, percent of population age 16 years+, 2014-2018	58.2%	65.9%	64.5%	63.7%	65.4%	63.2%
1 Total accommodation and food services sales, 2012 (\$1,000) (c)	708,138,598	4,550,958	1,613,346	909,430	3,940,307	1,536,058
1 Total health care and social assistance receipts/revenue, 2012 (\$1,000) (c)	2,040,441,203	16,983,330	5,406,783	2,904,135	15,136,621	5,323,953
1 Total manufacturers shipments, 2012 (\$1,000) (c)	5,696,729,632	3,805,223	10,798,881	2,493,246	22,760,719	12,747,884
1 Total merchant wholesaler sales, 2012 (\$1,000) (c)	5,208,023,478	12,840,656	13,702,878	9,622,731	46,631,358	15,101,208
1 Total retail sales, 2012 (\$1,000) (c)	4,219,821,871	8,850,957	11,801,057	6,889,614	21,344,600	10,037,894
1 Total retail sales per capita, 2012 (c)	\$13,443	\$11,890	\$17,308	\$13,786	\$13,885	\$13,284
<b>Transportation</b>						
1 Mean travel time to work (minutes), workers age 16 years+, 2014-2018	26.6	31.1	34.2	33.3	30.9	30.2
<b>Income &amp; Poverty</b>						
1 Median household income (in 2018 dollars), 2014-2018	\$60,293	\$64,582	\$99,511	\$85,654	\$87,012	\$75,878
1 Per capita income in past 12 months (in 2018 dollars), 2014-2018	\$32,621	\$40,190	\$52,036	\$41,343	\$49,669	\$40,697
1 Persons in poverty, percent	Δ 11.8%	Δ 17.5%	Δ 6.5%	Δ 6.2%	Δ 7.3%	Δ 10.7%

BUSINESSES						
Businesses						
Total employer establishments, 2018	7,912,405	21,764	20,383	12,737	44,765	19,190
Total employment, 2018	130,881,471	639,470	338,648	175,318	908,187	296,128
Total annual payroll, 2018 (\$1,000)	7,097,310,272	59,801,476	20,956,065	8,387,017	74,983,736	16,222,339
Total employment, percent change, 2017-2018	1.8%	0.2%	-4.2%	1.4%	1.7%	0.5%
Total nonemployer establishments, 2018	26,405,532	65,274	63,886	41,058	148,625	69,827
All firms, 2012	27,626,360	68,834	68,073	43,928	153,958	71,118
Men-owned firms, 2012	14,844,597	38,307	40,019	26,404	88,608	41,046
Women-owned firms, 2012	9,878,397	21,877	21,876	14,089	51,807	24,612
Minority-owned firms, 2012	7,952,386	20,276	9,602	3,967	24,102	10,741
Nonminority-owned firms, 2012	18,987,918	42,276	56,057	38,762	124,407	58,429
Veteran-owned firms, 2012	2,521,682	5,091	5,828	4,843	13,412	6,629
Nonveteran-owned firms, 2012	24,070,685	57,225	59,123	37,423	134,199	61,791
GEOGRAPHY						
Geography						
Population per square mile, 2010	87.4	12,415.7	1,693.6	750.9	1,837.9	1,508.8
Land area in square miles, 2010	3,531,905.43	58.15	396.11	659.08	817.82	492.56
FIPS Code	1	25025	25021	25023	25017	25009

About datasets used in this table

#### Value Notes

Estimates are not comparable to other geographic levels due to methodology differences that may exist between different data sources.

Some estimates presented here come from sample data, and thus have sampling errors that may render some apparent differences between geographies statistically indistinguishable. Click the Quick Info icon to the left of each row in TABLE view to learn about sampling error.

The vintage year (e.g., V2019) refers to the final year of the series (2010 thru 2019). Different vintage years of estimates are not comparable.

#### Fact Notes

- (a) Includes persons reporting only one race
- (b) Hispanics may be of any race, so also are included in applicable race categories
- (c) Economic Census - Puerto Rico data are not comparable to U.S. Economic Census data

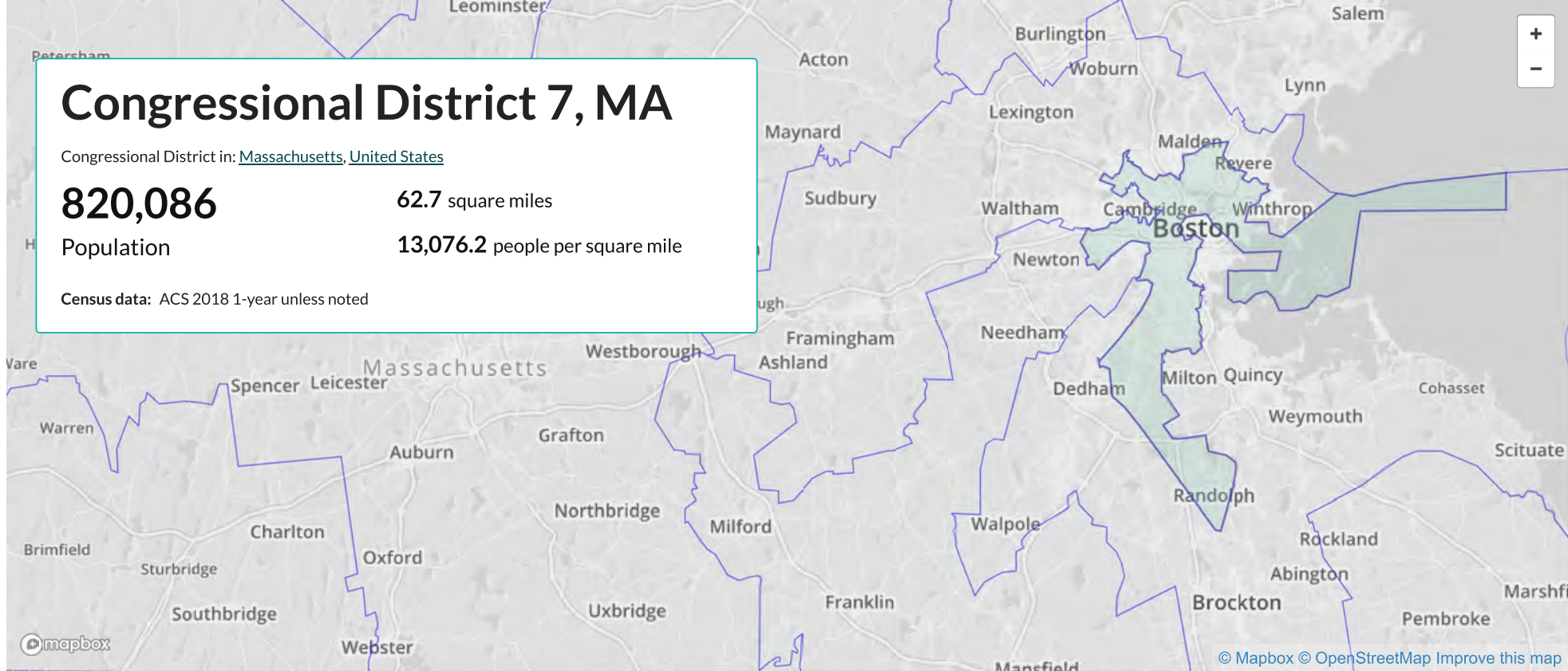
#### Value Flags

- Either no or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest or upper interval of an open ended distribution.
- D Suppressed to avoid disclosure of confidential information
- F Fewer than 25 firms
- FN Footnote on this item in place of data
- N Data for this geographic area cannot be displayed because the number of sample cases is too small.
- NA Not available
- S Suppressed, does not meet publication standards
- X Not applicable
- Z Value greater than zero but less than half unit of measure shown

QuickFacts data are derived from: Population Estimates, American Community Survey, Census of Population and Housing, Current Population Survey, Small Area Health Insurance Estimates, Small Area Income and Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits.

2010 April 1 Census Quick Facts: USA Suffolk Morfolk Plymouth Middlesex Essex

ADD/60



Find data for this place

Search by table or column name...

Interact with charts and statistics for [margins of error](#) and additional information.

Demographics

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Age

31.7

Median age

about 80 percent of the figure in Massachusetts: 39.5

about 80 percent of the figure in United States: 38.2

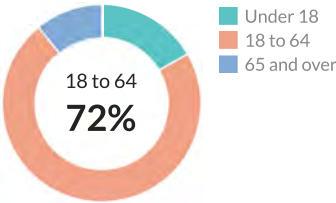
Population by age range

Age Range	Percentage
0-9	10%
10-19	11%
20-29	25%
30-39	18%
40-49	11%
50-59	10%
60-69	8%
70-79	5%
80+	3%†

Population by age category

ADD/61

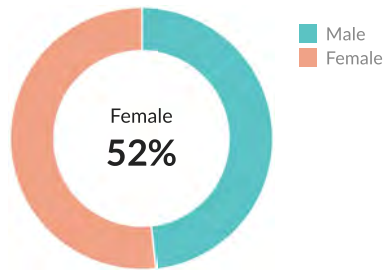
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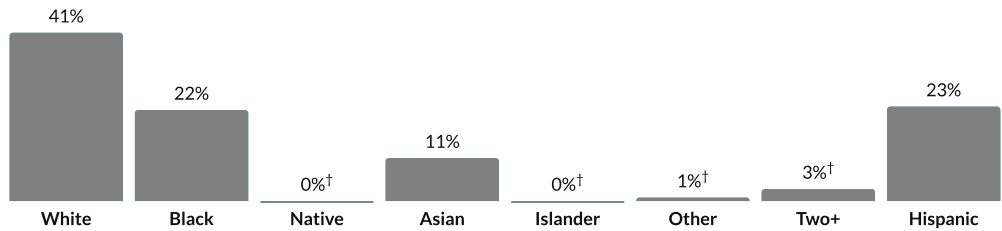
† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Sex



[Show data](#) / [Embed](#)

Race & Ethnicity



\* Hispanic includes respondents of any race. Other categories are non-Hispanic.

[Show data](#) / [Embed](#)

Economics

Income

**\$38,735**

Per capita income

about 90 percent of the amount in Massachusetts: \$43,349

about 10 percent higher than the amount in United States: \$33,831

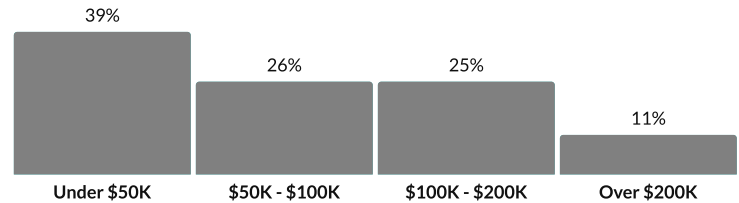
**\$70,019**

Median household income

about 90 percent of the amount in Massachusetts: \$79,835

about 10 percent higher than the amount in United States: \$61,937

Household income



[Show data](#) / [Embed](#)

Poverty

**18.2%**

Children (Under 18)

ADD/62

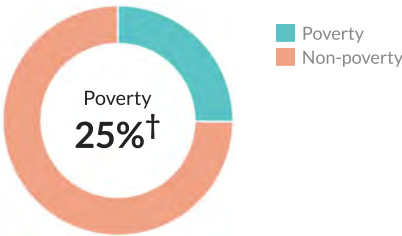
Seniors (65 and over)

† Margin of error is at least 10 percent of the total

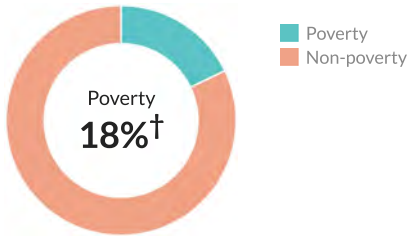
value. Take care with this statistic.

Persons below poverty line

nearly double the rate in Massachusetts: 10%  
about 1.4 times the rate in United States: 13.1%



Show data / Embed



Show data / Embed

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

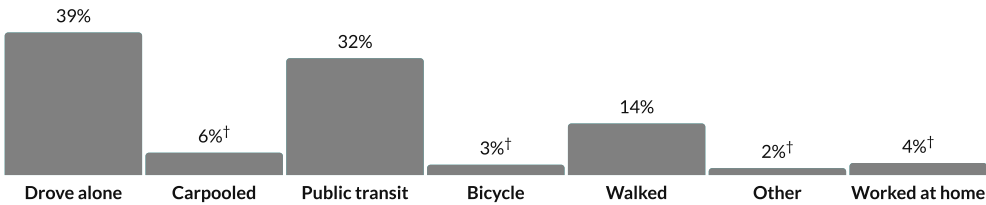
Transportation to work

32.4 minutes

Mean travel time to work

a little higher than the figure in Massachusetts: 30.5  
about 20 percent higher than the figure in United States: 27.1

Means of transportation to work



\* Universe: Workers 16 years and over

Show data / Embed

Families

Households

308,906

Number of households

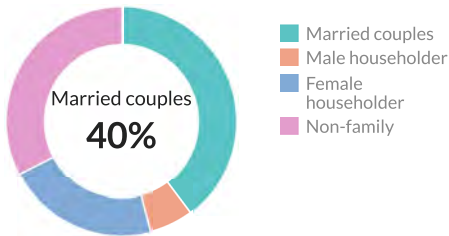
Massachusetts: 2,624,294  
United States: 121,520,180

2.5

Persons per household

about the same as the figure in Massachusetts: 2.5  
a little less than the figure in United States: 2.6

Population by household type

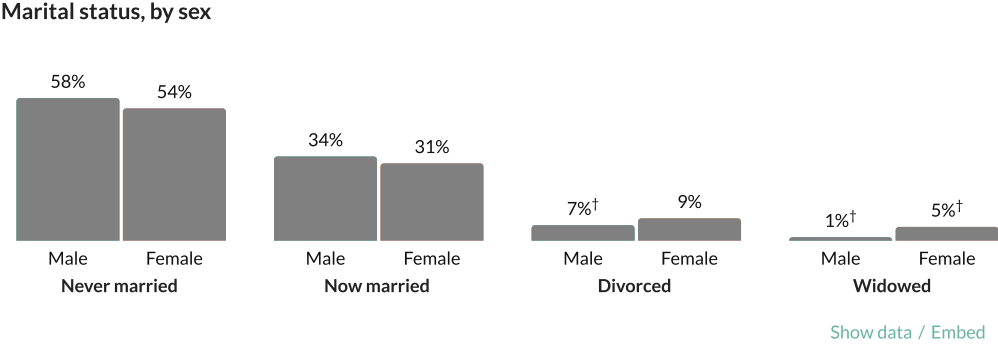
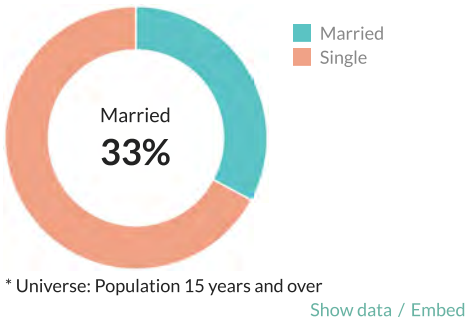


Show data / Embed

Marital status

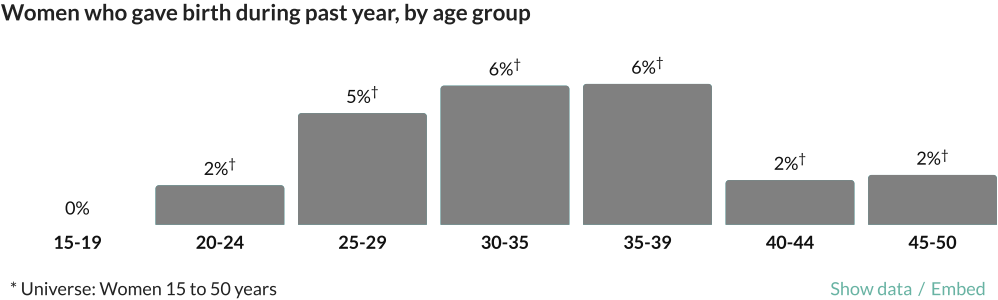
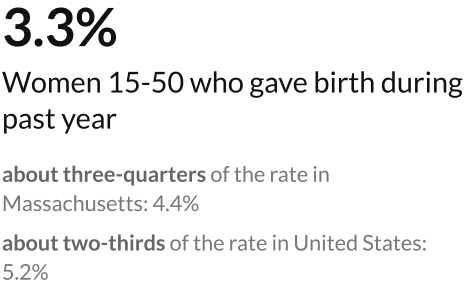
† Margin of error is at least 10 percent of the total

value. Take care with this statistic.



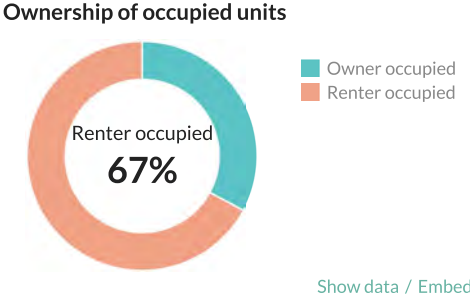
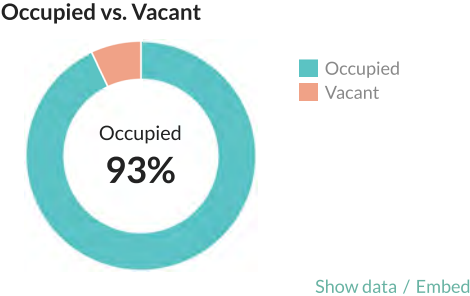
† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Fertility



Housing

Units & Occupancy



Types of structure

Year moved in, by percentage of population

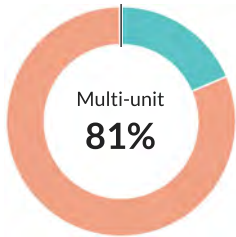
ADD/64

100%

21%

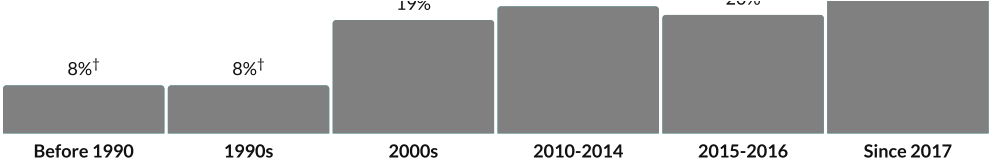
20%

24%



- Single unit
- Multi-unit
- Mobile home
- Boat, RV, van, etc.

Show data / Embed



Show data / Embed

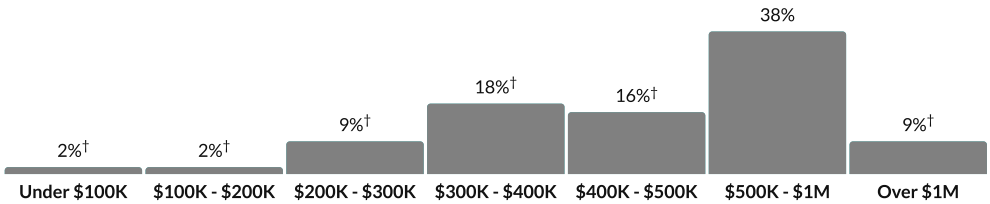
Value

\$528,500

Median value of owner-occupied housing units

about 1.3 times the amount in Massachusetts: \$400,700  
more than double the amount in United States: \$229,700

Value of owner-occupied housing units



Show data / Embed

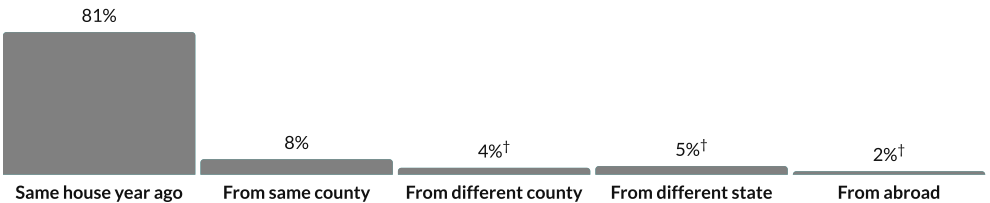
Geographical mobility

19.5%

Moved since previous year

about 1.5 times the rate in Massachusetts: 12.7%  
about 1.4 times the rate in United States: 14.1%

Population migration since previous year



Show data / Embed

Social

Educational attainment

85.1%

47.1%

Population by minimum level of education

ADD/65

25%

High school grad or higher

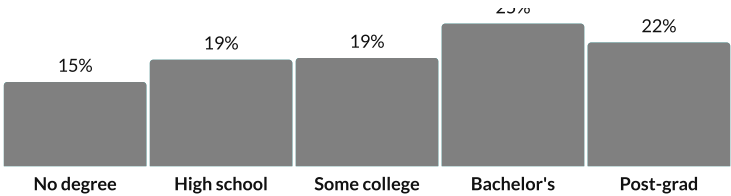
a little less than the rate in Massachusetts: 90.8%

a little less than the rate in United States: 88.3%

Bachelor's degree or higher

a little higher than the rate in Massachusetts: 44.5%

about 1.5 times the rate in United States: 32.6%



\* Universe: Population 25 years and over

[Show data / Embed](#)

Language

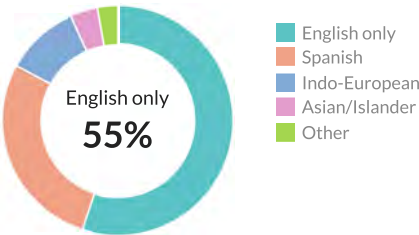
41.9%

Persons with language other than English spoken at home

more than 1.5 times the rate in Massachusetts: 24.3%

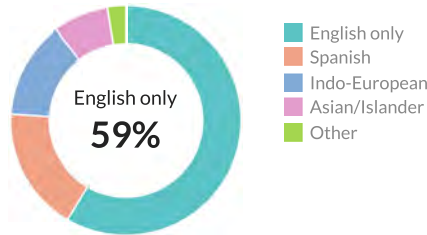
nearly double the rate in United States: 21.9%

Language at home, children 5-17



[Show data / Embed](#)

Language at home, adults 18+



[Show data / Embed](#)

Place of birth

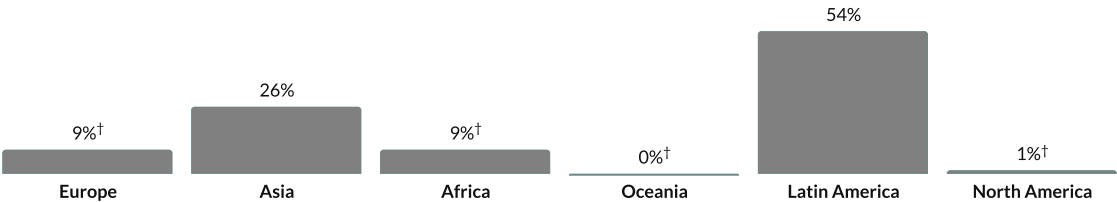
31.6%

Foreign-born population

nearly double the rate in Massachusetts: 17.4%

more than double the rate in United States: 13.7%

Place of birth for foreign-born population



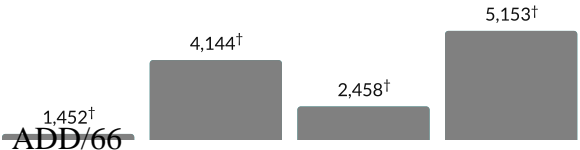
[Show data / Embed](#)

Veteran status

2.2%

Population with veteran status

Veterans by wartime service



15,150 Total veterans

12,914 Male

2,236 Female

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

about two-fifths of the rate in  
Massachusetts: 5.3%

about one-third of the rate in United  
States: 7.1%



Interact with charts and statistics for margins of error and additional information.

**Citation:** U.S. Census Bureau (2018). *American Community Survey 1-year estimates*. Retrieved from *Census Reporter Profile page for Congressional District 7, MA*  
<<http://censusreporter.org/profiles/50000US2507-congressional-district-7-ma/>>

[? Census terms & definitions](#)

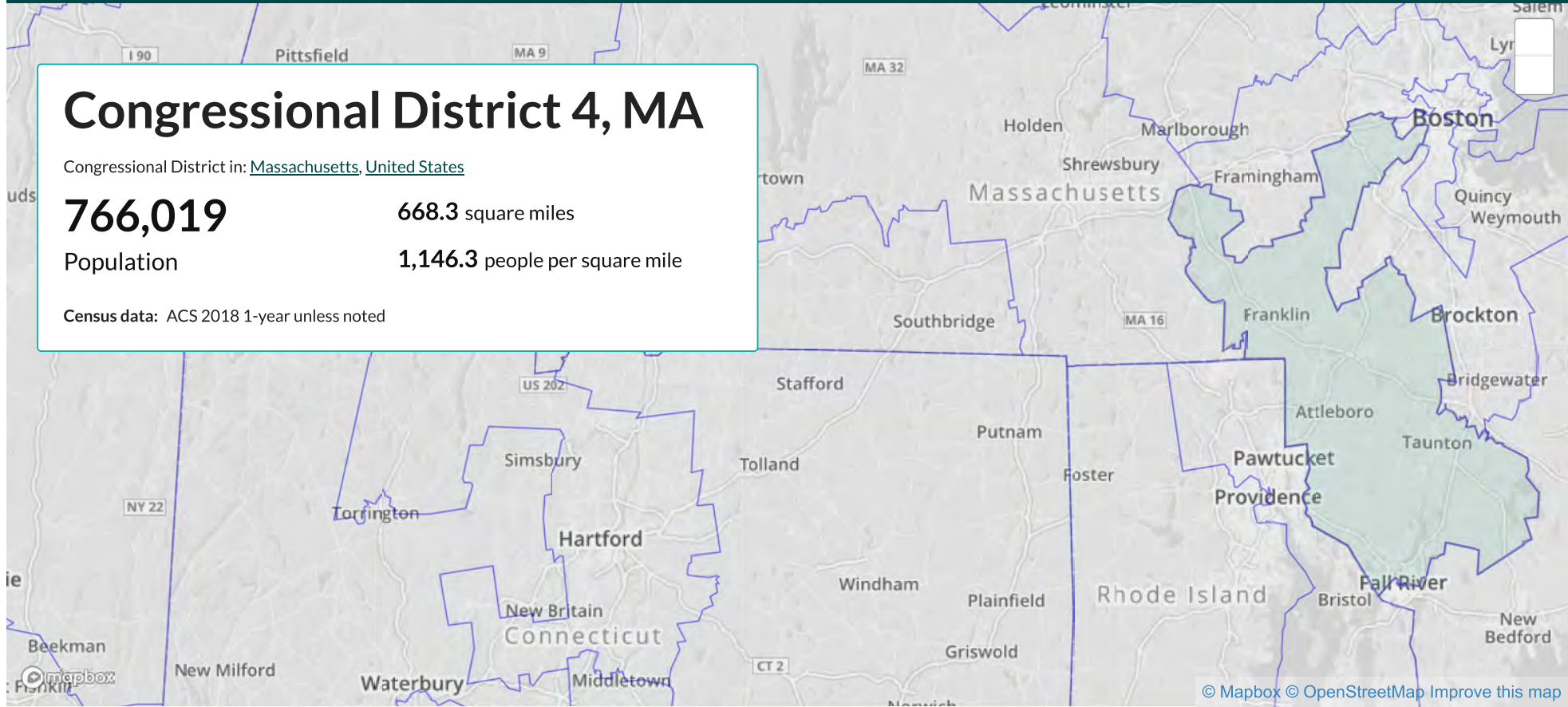
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Find data for this place

Interact with charts and statistics for [margins of error](#) and additional information.

Demographics

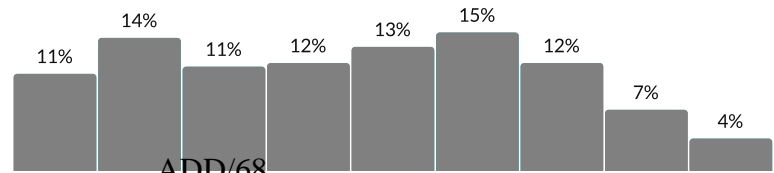
Age

41.3

Median age

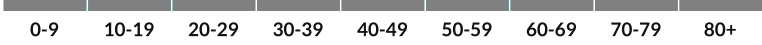
a little higher than the figure in  
Massachusetts: 39.5

Population by age range

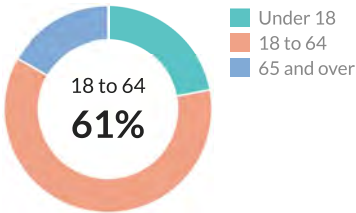


Population by age category

about 10 percent higher than the figure in United States: 38.2



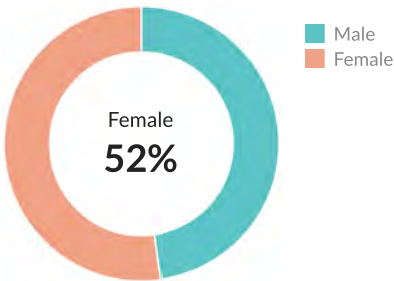
[Show data](#) / [Embed](#)



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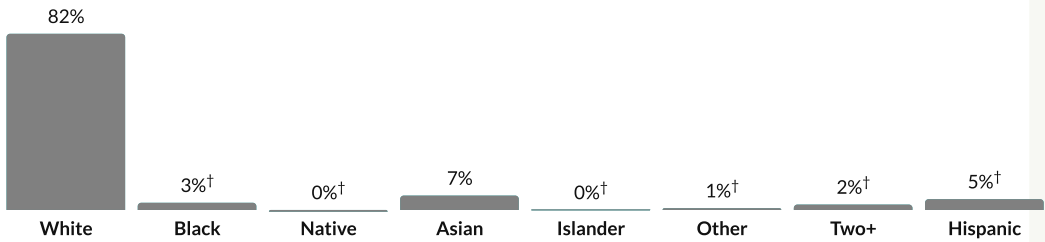
† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Sex



[Show data](#) / [Embed](#)

Race & Ethnicity



\* Hispanic includes respondents of any race. Other categories are non-Hispanic.

[Show data](#) / [Embed](#)

Economics

Income

**\$53,973**

Per capita income

about 25 percent higher than the amount in Massachusetts:  
\$43,349

about 1.5 times the amount in United States: \$33,831

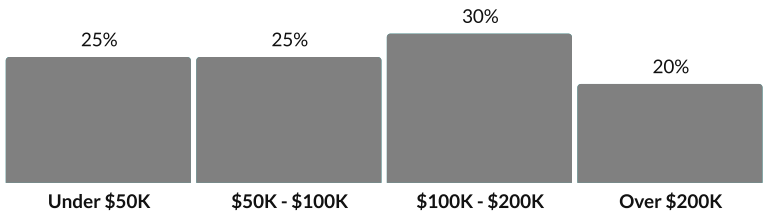
**\$98,914**

Median household income

about 25 percent higher than the amount in Massachusetts:  
\$79,835

about 1.5 times the amount in United States: \$61,937

Household income



[Show data](#) / [Embed](#)

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Poverty

6.5%

Persons below poverty line

about two-thirds of the rate in Massachusetts: 10%  
about half the rate in United States: 13.1%

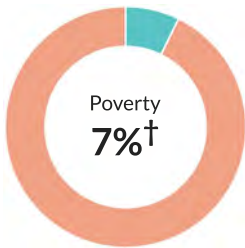
Children (Under 18)



Poverty  
Non-poverty

Show data / Embed

Seniors (65 and over)



Poverty  
Non-poverty

Show data / Embed

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

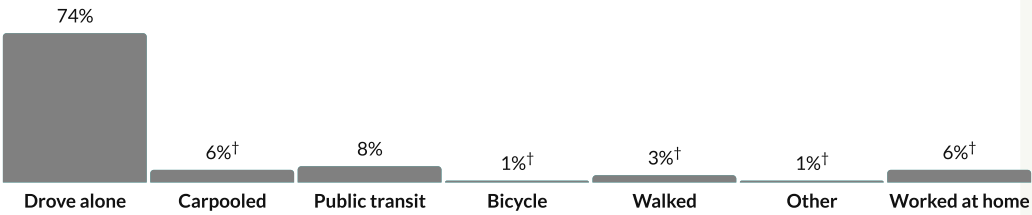
Transportation to work

32 minutes

Mean travel time to work

a little higher than the figure in Massachusetts: 30.5  
about 20 percent higher than the figure in United States: 27.1

Means of transportation to work



\* Universe: Workers 16 years and over

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Families

Households

279,926

Number of households

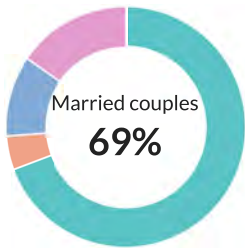
Massachusetts: 2,624,294  
United States: 121,520,180

2.6

Persons per household

a little higher than the figure in Massachusetts: 2.5  
about the same as the figure in United States: 2.6

Population by household type

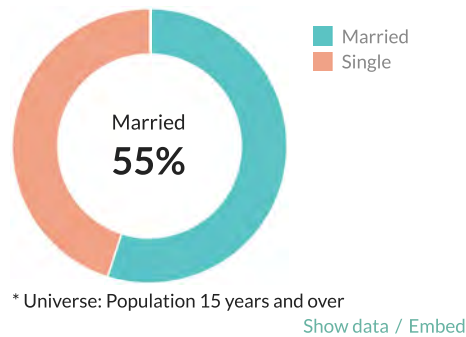


Married couples  
Male householder  
Female householder  
Non-family

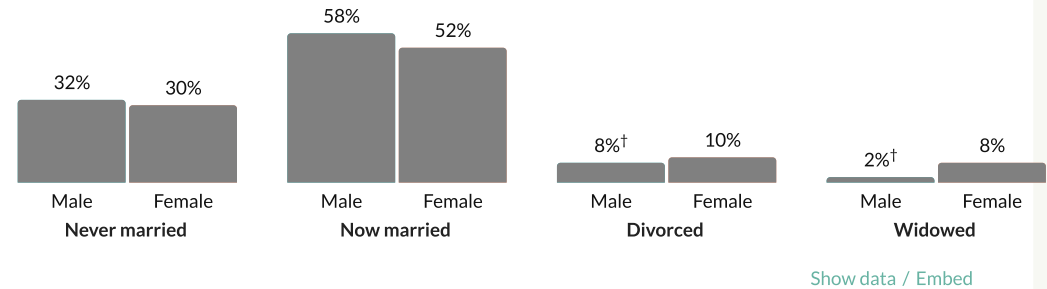
Show data / Embed

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Marital status



Marital status, by sex



† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Fertility

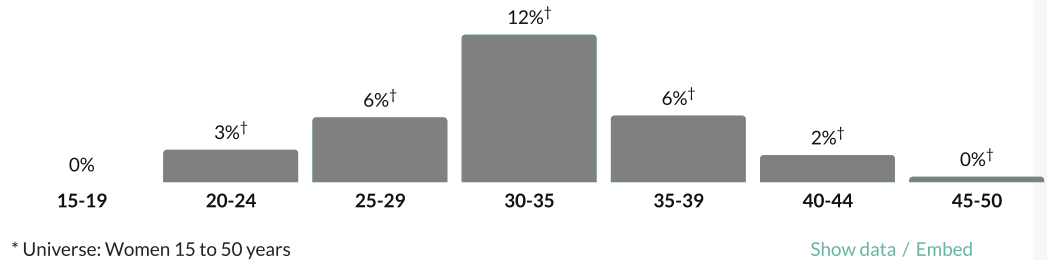
3.7%

Women 15-50 who gave birth during past year

about 80 percent of the rate in Massachusetts: 4.4%

about two-thirds of the rate in United States: 5.2%

Women who gave birth during past year, by age group



Housing

Units & Occupancy

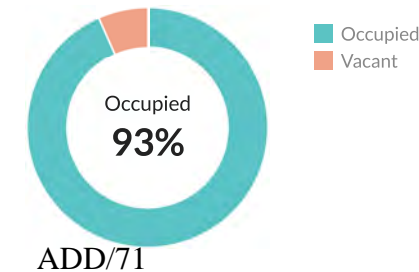
299,759

Number of housing units

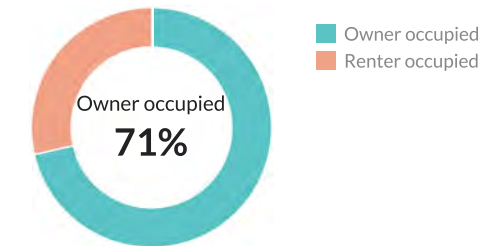
Massachusetts: 2,915,043

United States: 138,539,906

Occupied vs. Vacant



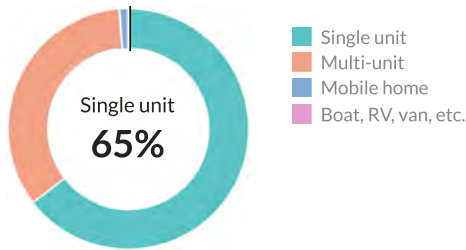
Ownership of occupied units



[Show data](#) / [Embed](#)

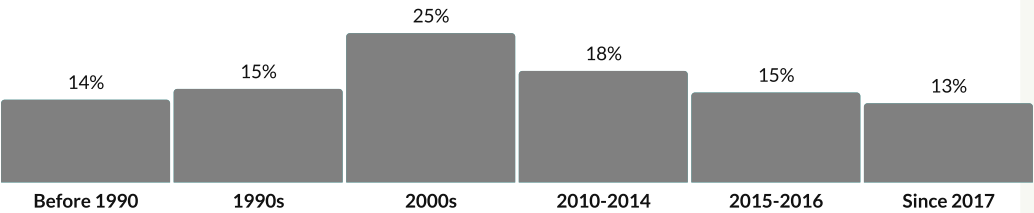
[Show data](#) / [Embed](#)

Types of structure



[Show data](#) / [Embed](#)

Year moved in, by percentage of population



[Show data](#) / [Embed](#)

Value

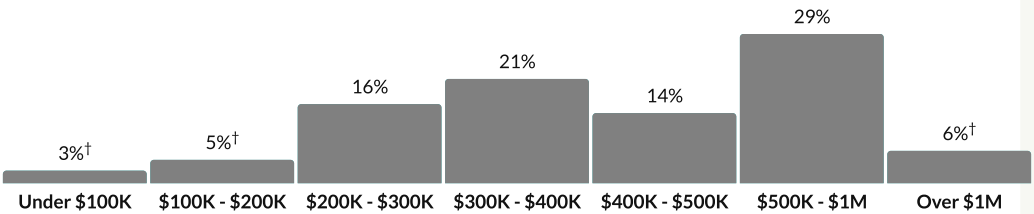
**\$446,500**

Median value of owner-occupied housing units

about 10 percent higher than the amount in Massachusetts: \$400,700

nearly double the amount in United States: \$229,700

Value of owner-occupied housing units



[Show data](#) / [Embed](#)

Geographical mobility

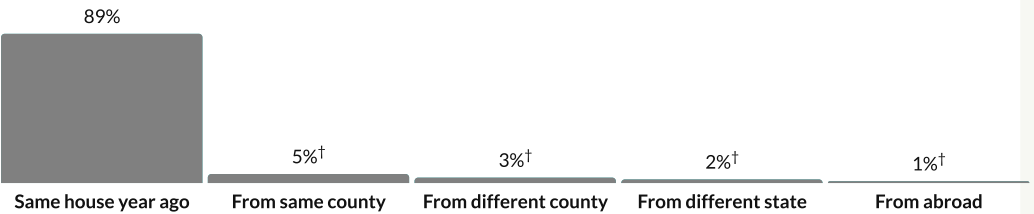
**10.9%**

Moved since previous year

about 90 percent of the rate in Massachusetts: 12.7%

about 80 percent of the rate in United States: 14.1%

Population migration since previous year



[Show data](#) / [Embed](#)

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Social

Educational attainment

93.4%

High school grad or higher

a little higher than the rate in Massachusetts: 90.8%

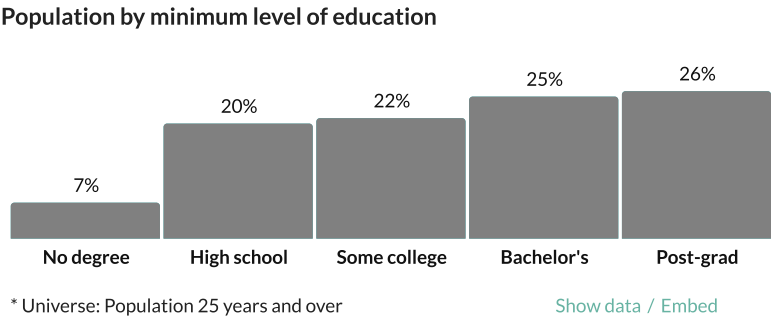
a little higher than the rate in United States: 88.3%

51.5%

Bachelor's degree or higher

about 20 percent higher than the rate in Massachusetts: 44.5%

about 1.5 times the rate in United States: 32.6%



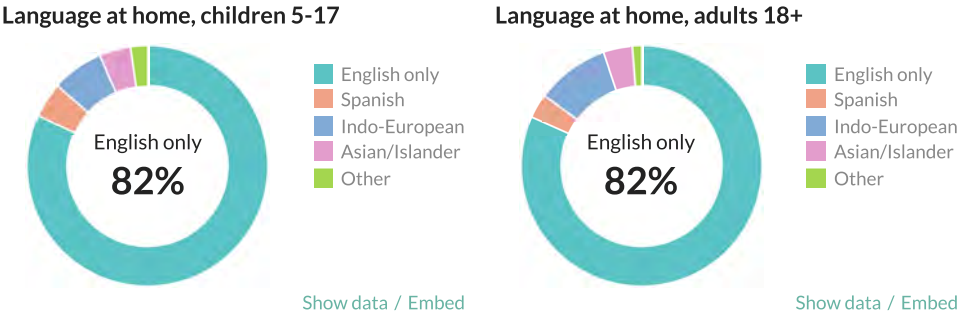
Language

18.3%

Persons with language other than English spoken at home

about three-quarters of the rate in Massachusetts: 24.3%

about 80 percent of the rate in United States: 21.9%



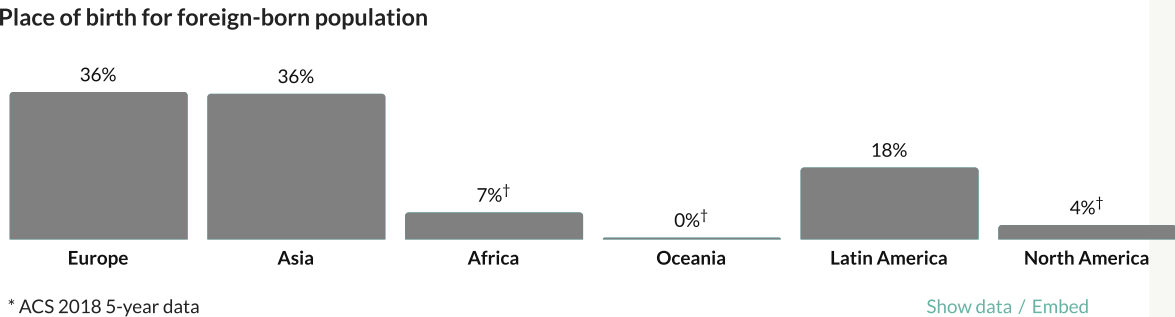
Place of birth

14.2%

Foreign-born population

about 80 percent of the rate in Massachusetts: 17.4%

a little higher than the rate in United States: 13.7%



Veteran status

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

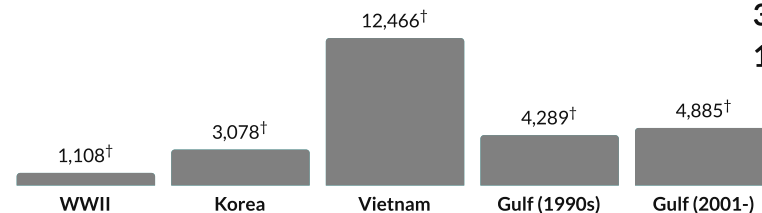
# 5.6%

## Population with veteran status

a little higher than the rate in Massachusetts: 5.3%

about 80 percent of the rate in United States: 7.1%

### Veterans by wartime service



\* Civilian veterans who served during wartime only

[Show data](#) / [Embed](#)

**33,129** Total veterans

**31,361** Male

**1,768** Female

Interact with charts and statistics for margins of error and additional information.


*This profile displays data from more than one ACS release. Charts not derived from ACS 2018 1-year data are noted with an \*.*


**Citation:** U.S. Census Bureau (2018). *American Community Survey 1-year estimates*. Retrieved from *Census Reporter Profile page for Congressional District 4, MA* <<http://censusreporter.org/profiles/50000US2504-congressional-district-4-ma/>>


**Citation:** U.S. Census Bureau (2018). *American Community Survey 5-year estimates*. Retrieved from *Census Reporter Profile page for Congressional District 4, MA* <<http://censusreporter.org/profiles/50000US2504-congressional-district-4-ma/>>

 [Census terms & definitions](#)

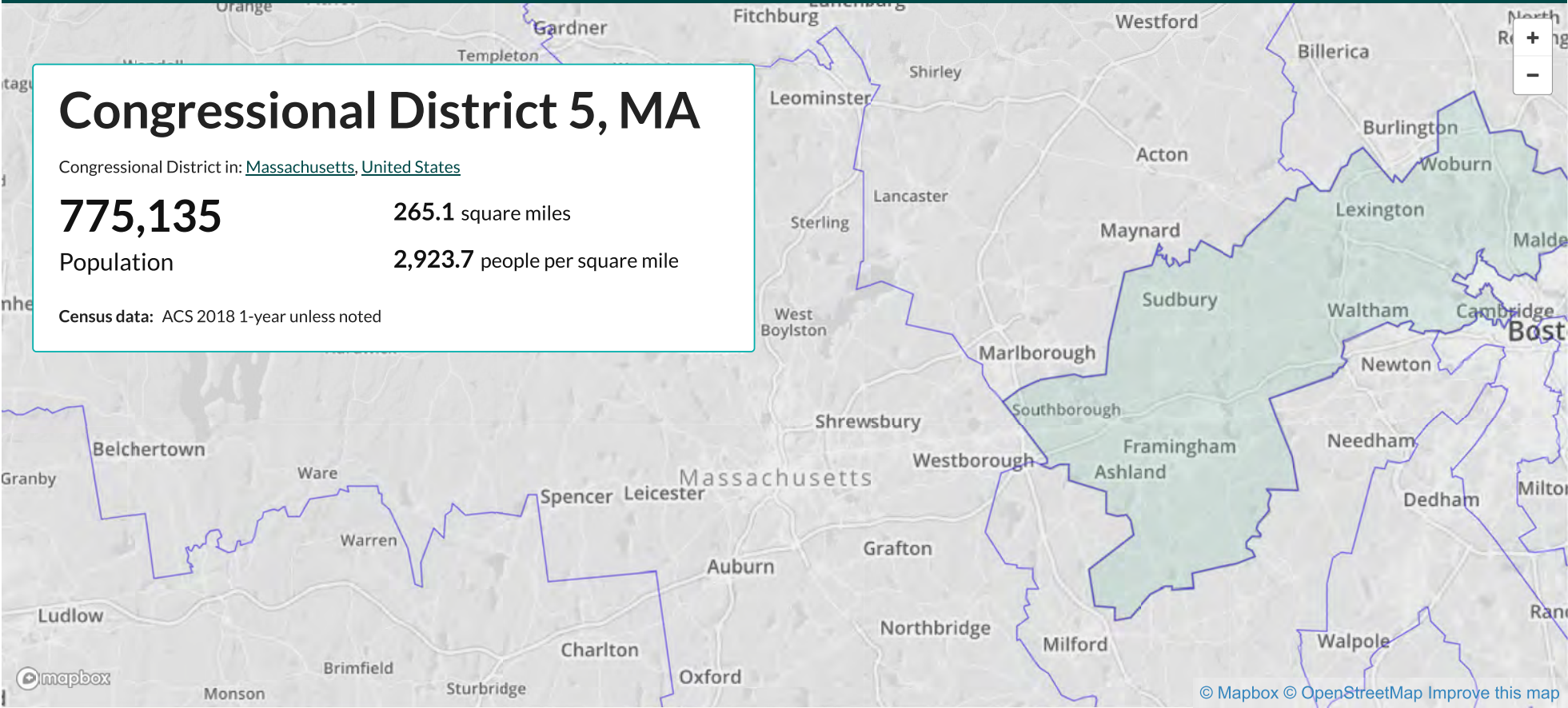
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Find data for this place

Interact with charts and statistics for [margins of error](#) and additional information.

Demographics

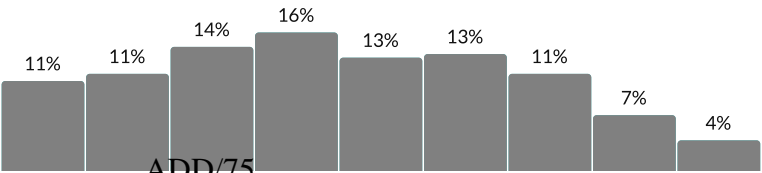
Age

39.1

Median age

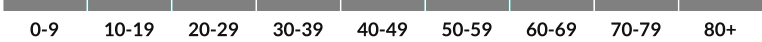
about the same as the figure in  
Massachusetts: 39.5

Population by age range

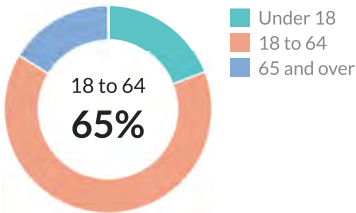


Population by age category

about the same as the figure in United States: 38.2



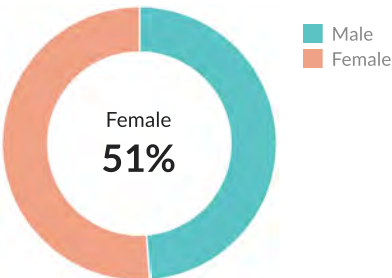
[Show data](#) / [Embed](#)



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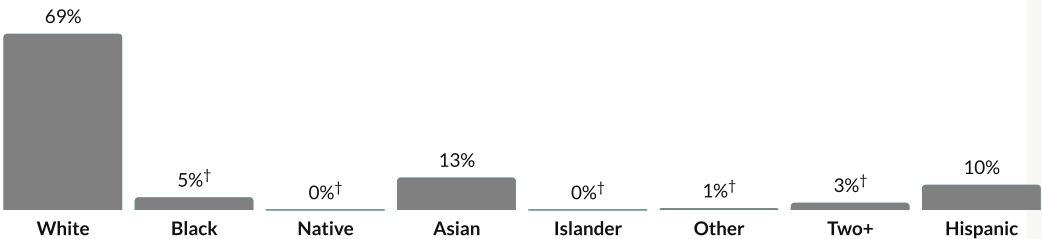
† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Sex



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Race & Ethnicity



\* Hispanic includes respondents of any race. Other categories are non-Hispanic.

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Economics

Income

**\$55,025**

Per capita income

about 25 percent higher than the amount in Massachusetts:  
\$43,349

more than 1.5 times the amount in United States: \$33,831

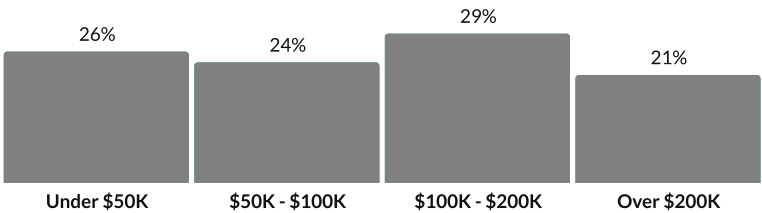
**\$100,393**

Median household income

about 25 percent higher than the amount in Massachusetts:  
\$79,835

more than 1.5 times the amount in United States: \$61,937

Household income



[Show data](#) / [Embed](#)

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

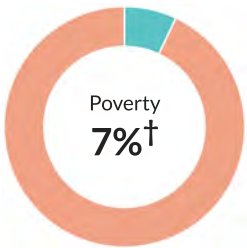
Poverty

7%

Persons below poverty line

about two-thirds of the rate in Massachusetts: 10%  
about half the rate in United States: 13.1%

Children (Under 18)



Poverty  
Non-poverty

Show data / Embed

Seniors (65 and over)



Poverty  
Non-poverty

Show data / Embed

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

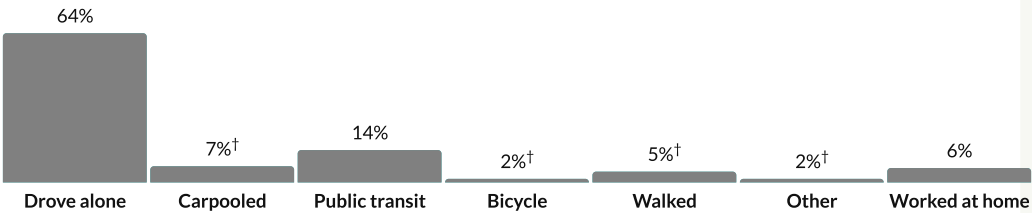
Transportation to work

32.3 minutes

Mean travel time to work

a little higher than the figure in Massachusetts: 30.5  
about 20 percent higher than the figure in United States: 27.1

Means of transportation to work



\* Universe: Workers 16 years and over

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Families

Households

300,644

Number of households

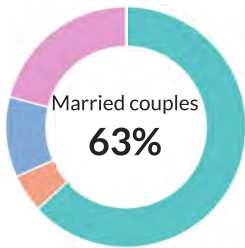
Massachusetts: 2,624,294  
United States: 121,520,180

2.5

Persons per household

about the same as the figure in Massachusetts: 2.5  
a little less than the figure in United States: 2.6

Population by household type

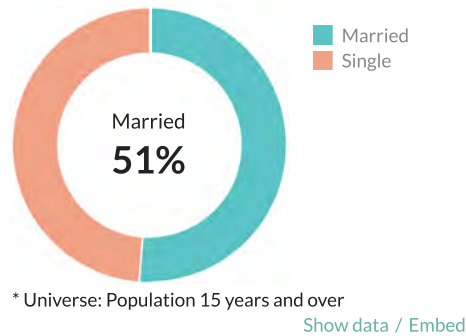


Married couples  
Male householder  
Female householder  
Non-family

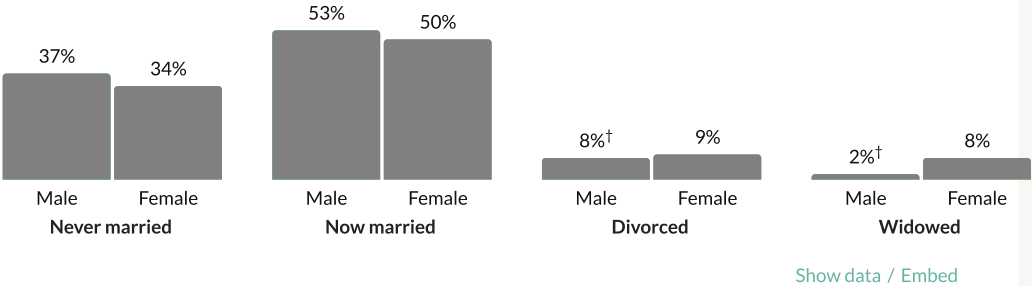
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† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Marital status



Marital status, by sex



† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Fertility

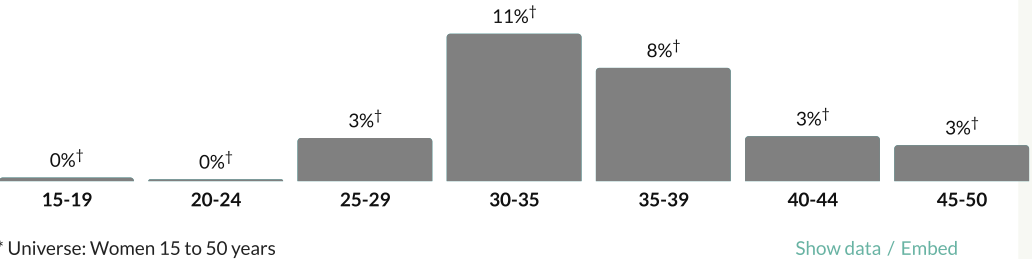
4.6%

Women 15-50 who gave birth during past year

about the same as the rate in Massachusetts:  
4.4%

about 90 percent of the rate in United States:  
5.2%

Women who gave birth during past year, by age group



Housing

Units & Occupancy

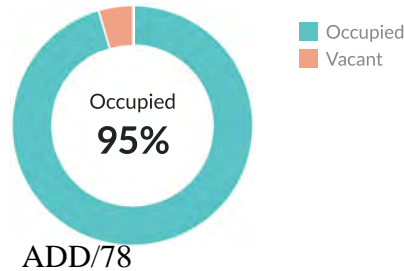
314,917

Number of housing units

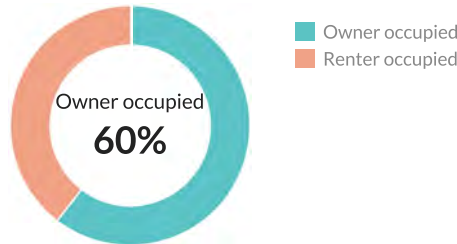
Massachusetts: 2,915,043

United States: 138,539,906

Occupied vs. Vacant



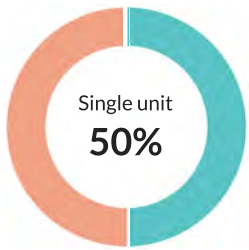
Ownership of occupied units



[Show data](#) / [Embed](#)

[Show data](#) / [Embed](#)

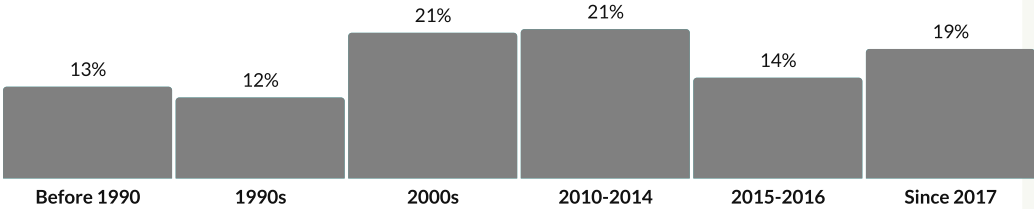
Types of structure



- Single unit
- Multi-unit
- Mobile home
- Boat, RV, van, etc.

[Show data](#) / [Embed](#)

Year moved in, by percentage of population



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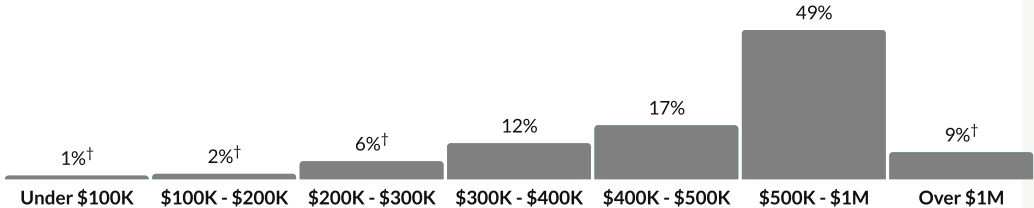
Value

**\$589,000**

Median value of owner-occupied housing units

about 1.5 times the amount in Massachusetts:  
\$400,700  
more than double the amount in United States: \$229,700

Value of owner-occupied housing units



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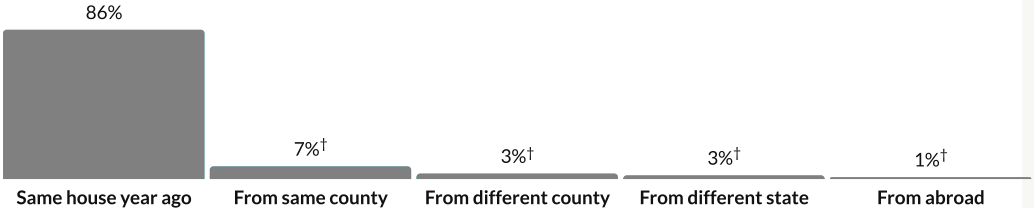
Geographical mobility

**13.9%**

Moved since previous year

about 10 percent higher than the rate in Massachusetts: 12.7%  
about the same as the rate in United States: 14.1%

Population migration since previous year



[Show data](#) / [Embed](#)

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Social

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Educational attainment

94.1%

High school grad or higher

a little higher than the rate in Massachusetts: 90.8%

a little higher than the rate in United States: 88.3%

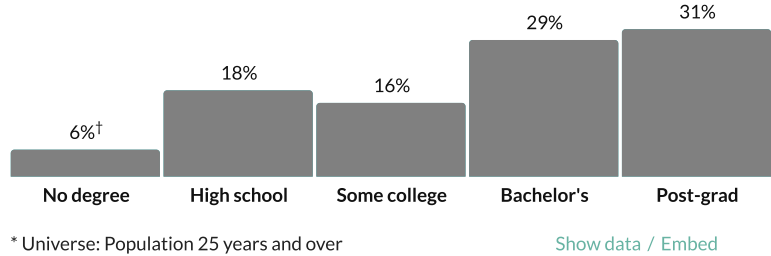
60%

Bachelor's degree or higher

about 1.4 times the rate in Massachusetts: 44.5%

nearly double the rate in United States: 32.6%

Population by minimum level of education



Language

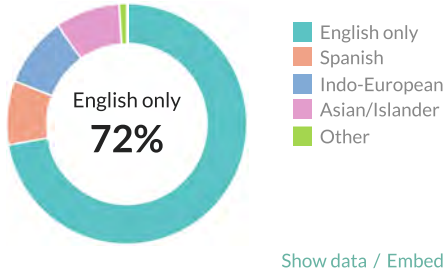
29.7%

Persons with language other than English spoken at home

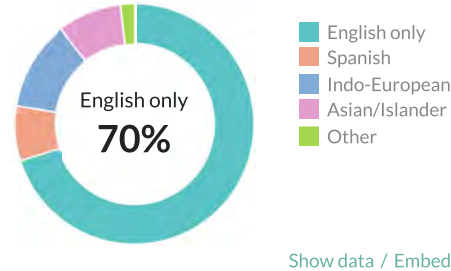
about 25 percent higher than the rate in Massachusetts: 24.3%

about 1.4 times the rate in United States: 21.9%

Language at home, children 5-17



Language at home, adults 18+



Place of birth

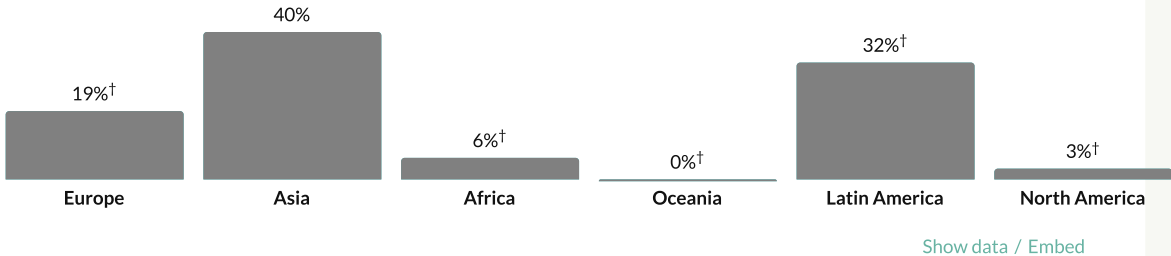
25%

Foreign-born population

about 1.4 times the rate in Massachusetts: 17.4%

nearly double the rate in United States: 13.7%

Place of birth for foreign-born population



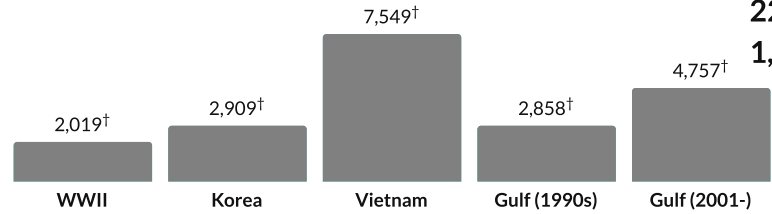
Veteran status

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

**3.9%**  
Population with veteran status

about three-quarters of the rate in Massachusetts: 5.3%  
about half the rate in United States: 7.1%

Veterans by wartime service



\* Civilian veterans who served during wartime only

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**24,318** Total veterans  
**22,410** Male  
**1,908** Female

Interact with charts and statistics for margins of error and additional information.

**Citation:** U.S. Census Bureau (2018). *American Community Survey 1-year estimates*. Retrieved from *Census Reporter Profile page for Congressional District 5, MA*  
<<http://censusreporter.org/profiles/50000US2505-congressional-district-5-ma/>>

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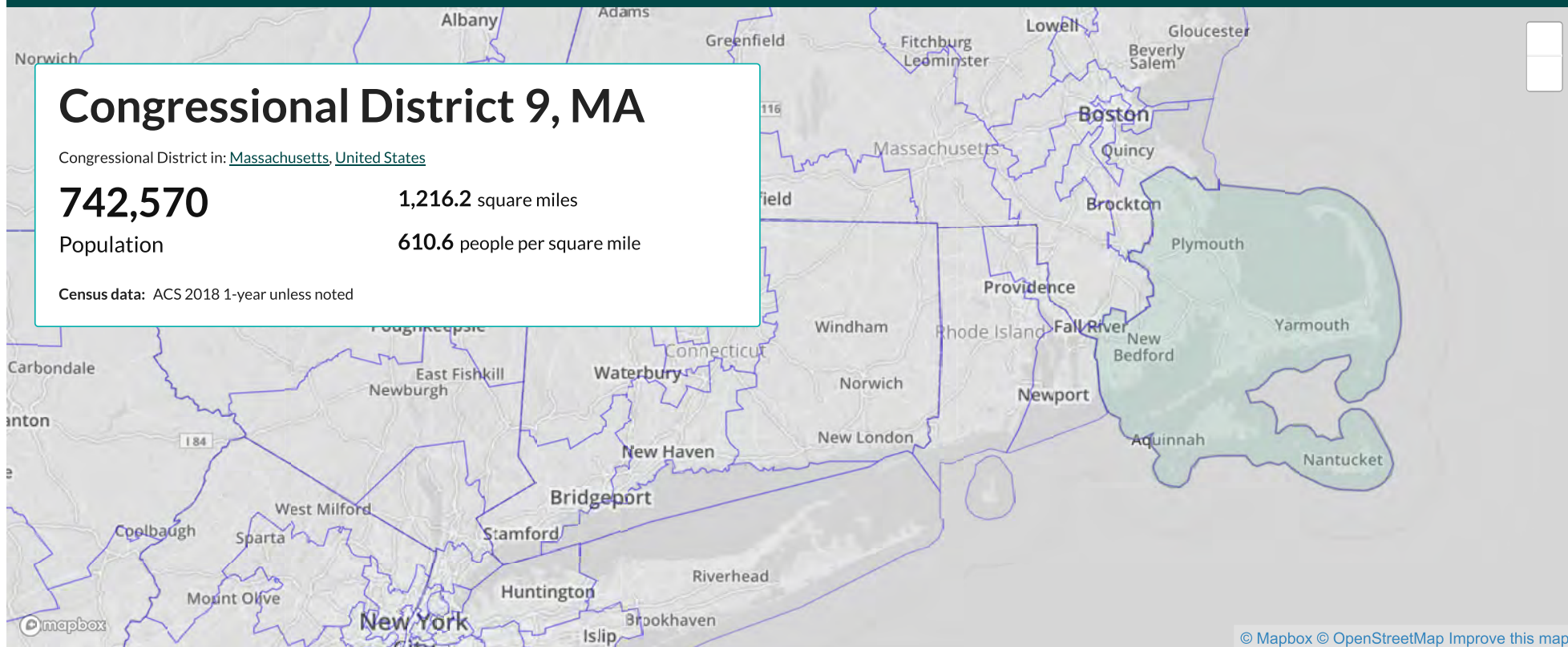
[Census Reporter blog](#)

Congressional District in: [Massachusetts, United States](#)

**1,216.2** square miles

610.6 people per square mile

Census data: ACS 2018 1-year unless noted



Find data for this place

Search by table or column name...

Interact with charts and statistics for margins of error and additional information.

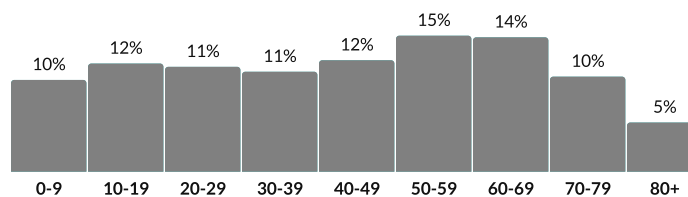
## Age

Median age

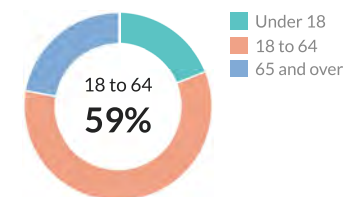
about 20 percent higher than the figure in Massachusetts: 39.5

about 20 percent higher than the figure in United States: 38.2

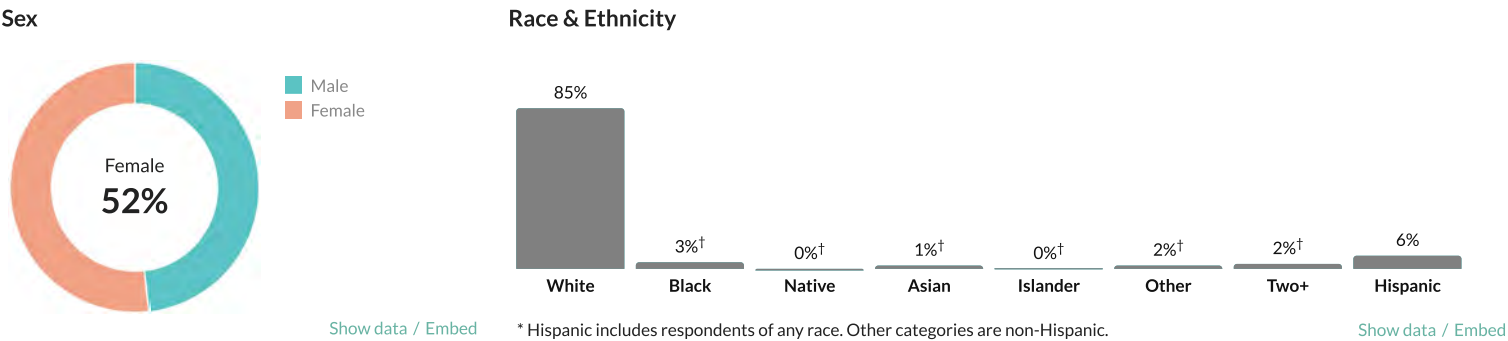
### Population by age range

[Show data / Embed](#)

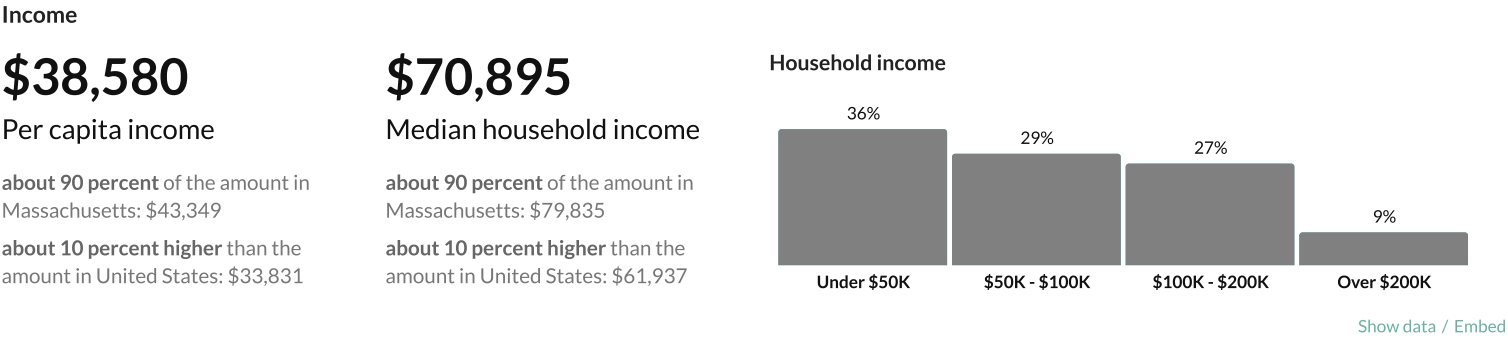
### Population by age category

[Show data / Embed](#)

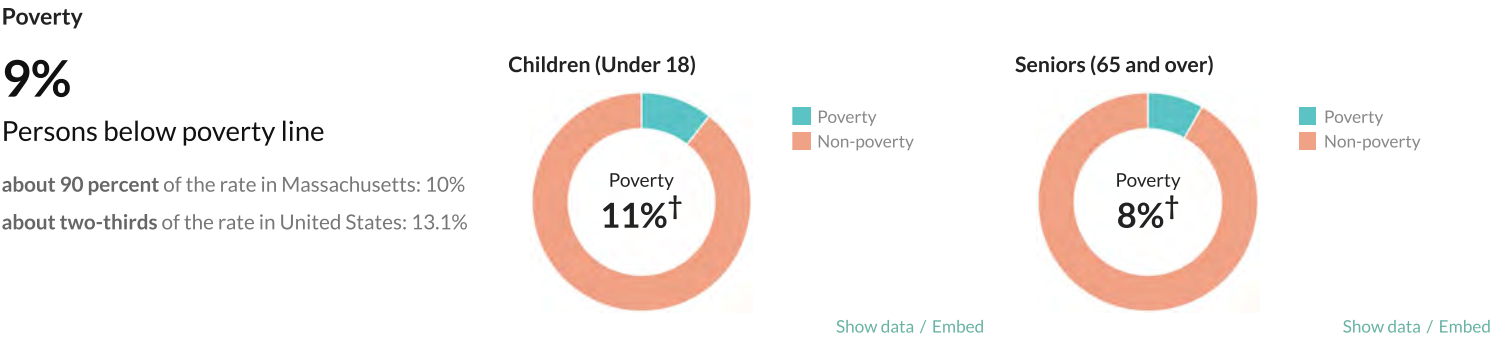
† Margin of error is at least 10 percent of the total value. Take care with this statistic.



Economics



† Margin of error is at least 10 percent of the total value. Take care with this statistic.



Transportation to work

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

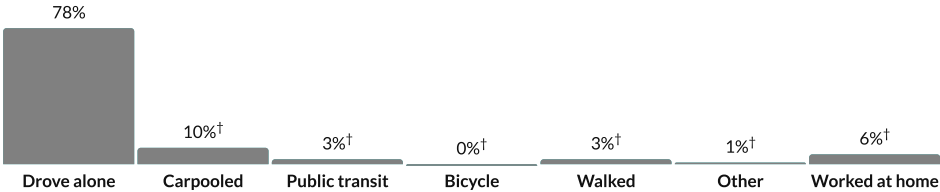
27.4 minutes

Mean travel time to work

about 90 percent of the figure in Massachusetts: 30.5

about the same as the figure in United States: 27.1

Means of transportation to work



\* Universe: Workers 16 years and over

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Families

Households

290,718

Number of households

Massachusetts: 2,624,294

United States: 121,520,180

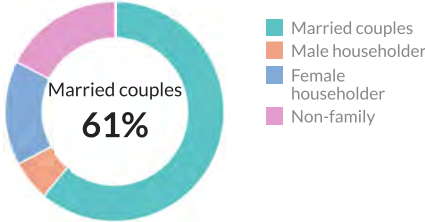
2.5

Persons per household

about the same as the figure in Massachusetts: 2.5

a little less than the figure in United States: 2.6

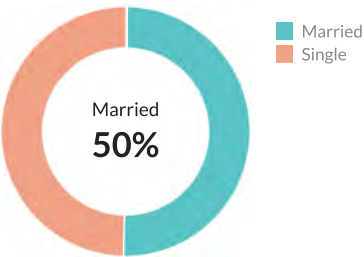
Population by household type



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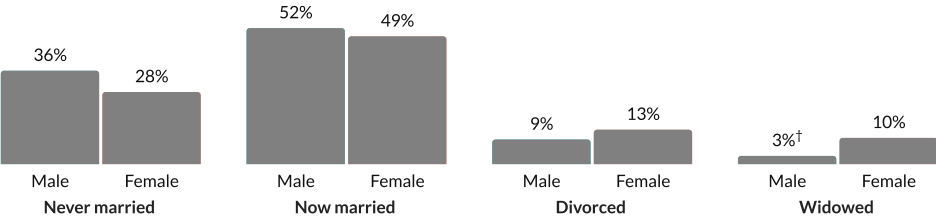
† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Marital status



\* Universe: Population 15 years and over [Show data](#) / [Embed](#)

Marital status, by sex



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Fertility

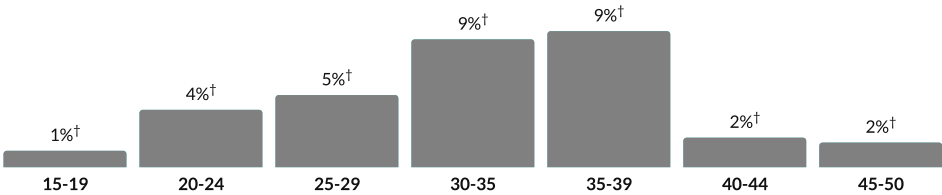
† Margin of error is at least 10 percent of the total value. Take care with this statistic.

4.3%

Women 15-50 who gave birth during past year

a little less than the rate in Massachusetts: 4.4%  
about 80 percent of the rate in United States: 5.2%

Women who gave birth during past year, by age group



\* Universe: Women 15 to 50 years

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Housing

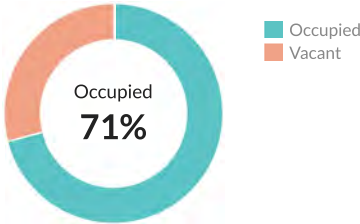
Units & Occupancy

409,961

Number of housing units

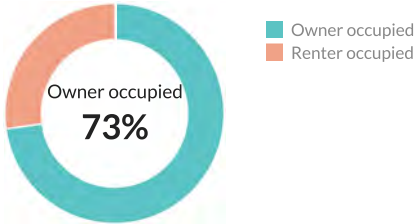
Massachusetts: 2,915,043  
United States: 138,539,906

Occupied vs. Vacant



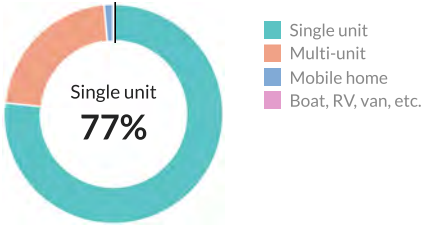
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Ownership of occupied units



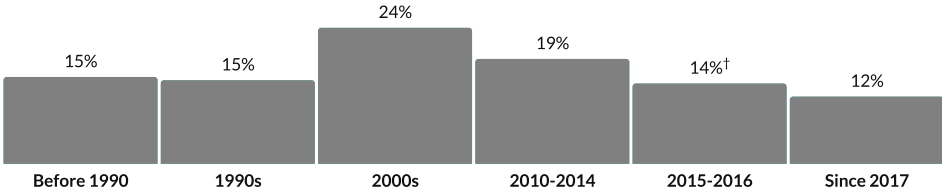
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Types of structure



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Year moved in, by percentage of population



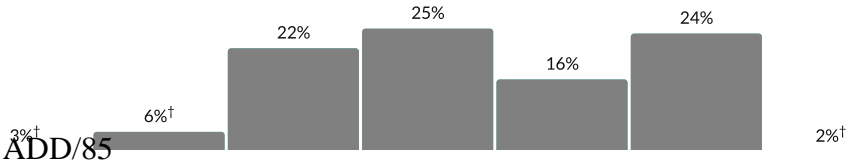
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Value

\$379,300

Median value of owner-occupied housing units

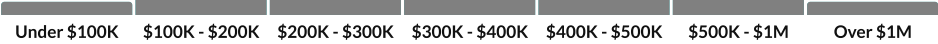
Value of owner-occupied housing units



† Margin of error is at least 10 percent of the total value. Take care with this statistic.

a little less than the amount in Massachusetts:  
\$400,700

more than 1.5 times the amount in United States:  
\$229,700



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Geographical mobility

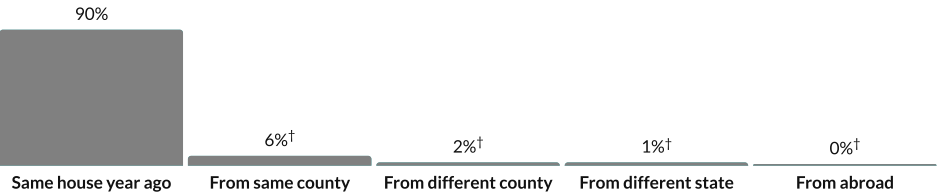
10%

Moved since previous year

about 80 percent of the rate in Massachusetts:  
12.7%

about two-thirds of the rate in United States: 14.1%

Population migration since previous year



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† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Social

Educational attainment

90.1%

High school grad or higher

about the same as the rate in Massachusetts: 90.8%

about the same as the rate in United States: 88.3%

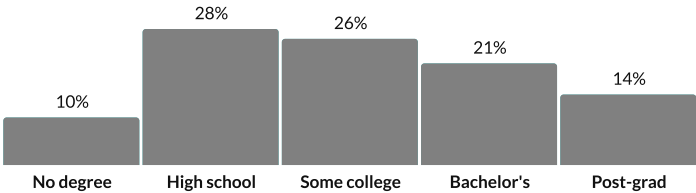
35.6%

Bachelor's degree or higher

about 80 percent of the rate in Massachusetts: 44.5%

about 10 percent higher than the rate in United States: 32.6%

Population by minimum level of education



\* Universe: Population 25 years and over

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Language

14.3%

Persons with language other than English spoken at home

\* ACS 2018 5-year data

about three-fifths of the rate in Massachusetts:  
23.6%

Language at home, children 5-17

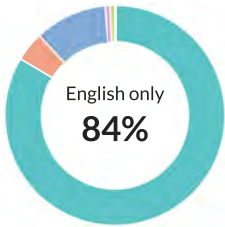
Language at home, adults 18+

about two-thirds of the rate in United States: 21.5%



English only  
Spanish  
Indo-European  
Asian/Islander  
Other

Show data / Embed



English only  
Spanish  
Indo-European  
Asian/Islander  
Other

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† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Place of birth

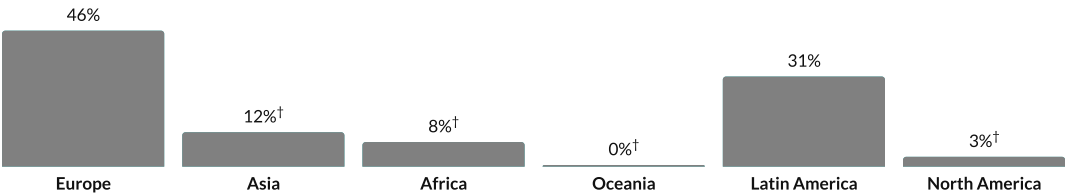
10.5%

Foreign-born population

about three-fifths of the rate in Massachusetts: 17.4%

about three-quarters of the rate in United States: 13.7%

Place of birth for foreign-born population



\* ACS 2018 5-year data

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† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Veteran status

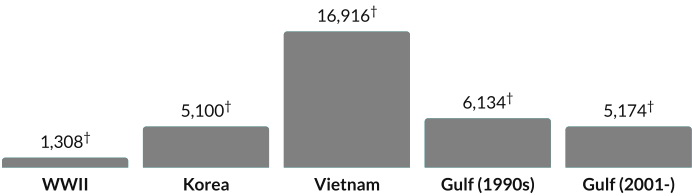
7.1%

Population with veteran status

about 1.3 times the rate in Massachusetts: 5.3%

about the same as the rate in United States: 7.1%

Veterans by wartime service



\* Civilian veterans who served during wartime only

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42,495 Total veterans  
40,334 Male  
2,161 Female

Interact with charts and statistics for margins of error and additional information.


This profile displays data from more than one ACS release. Charts not derived from ACS 2018 1-year data are noted with an \*.


Citation: U.S. Census Bureau (2018). American Community Survey 1-year estimates. Retrieved from Census Reporter Profile page for Congressional District 9, MA <http://censusreporter.org/profiles/50000US2509-congressional-district-9-ma/>


**Citation:** U.S. Census Bureau (2018). *American Community Survey 5-year estimates*. Retrieved from *Census Reporter Profile page for Congressional District 9, MA*  
<<http://censusreporter.org/profiles/50000US2509-congressional-district-9-ma/>>

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