

<Date>

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Email to: elections@sec.state.ma.us

Hon. William F. Galvin
Secretary of the Commonwealth of Massachusetts
Elections Division
McCormack Building
One Ashburton Place Room1705
Boston, MA 02108

Re: Insurrectionist Donald Trump Barred from Ballot

Dear Secretary Galvin:

In the months leading up to the January 6, 2021, assault on the US Capitol, and continuing through his urging and condoning his supporters in their attack on the capitol, former president Donald J. Trump incited and facilitated an insurrection against the United States. Section 3 of the 14th Amendment of the Constitution prohibits him from ever holding public office again. We therefore write to request that you exercise your authority and obligation to exclude Mr. Trump from any ballot now or in future. A partial list of Mr. Trump's insurrectionist activities is attached. This list grows longer daily as investigations and testimony proceed.

There is no Constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide his eligibility for the ballot. The Constitution disqualifies officials who have engaged in insurrection from holding office without requiring any particular decision maker to make that determination and "Constitutional provisions are presumed to be self-executing." In fact, the law, like all laws, is useless unless we enforce it.

As then Judge Gorsuch affirmed in 2012: "a state's legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office." No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. Allowing a known insurrectionist to appear on your state's ballot is inconsistent with your obligation and oath of office.

Sincerely,

<name>