

PURPOSE:

The purpose of this hearing is to consider an objection to the nomination of Dawn Macklin as a candidate for Ward 4 School Committee.

BACKGROUND:

1. In accordance with the provisions of law, the Malden City Council established a schedule for the 2025 municipal election, containing – among others – the following dates:

July 24	5:00 p.m. Last day and hour to obtain nomination papers from the City Clerk's Office
July 28	5:00 p.m. Last day and hour to submit nomination papers to the Registrar of Voters Office for Certification
August 11	5:00 p.m. Last day and hour to file certified nomination papers with the City Clerk's Office
August 13	5:00 p.m. Last day and hour for filing withdrawals from nomination for the preliminary or objections to nomination.
2. Under city charter, a candidate for ward based elective office qualifies to have his or her name printed on the ballot by obtaining the signatures of 50 registered voters on nomination papers provided for that purpose;
3. Nomination papers are in the form specified by Massachusetts General Laws Chapter 43 Section 44C;
4. Massachusetts General Laws Chapter 53 Section 8 prohibits the circulation of nomination papers without the following information: the candidate's name, the candidates residence, with street and number, the office, and district name or number, for which he or she is nominated and, if the election is partisan, the party which he or she represents;
5. The Registrar of Voters receives nomination papers and certifies that the names appearing thereon are the names of registered voters;
6. On May 6, 2025 Dawn Macklin visited the City Clerk's Office to notify staff of a change of address she completed via the Secretary of State's website. Ms. Macklin changed her voting address from 190 Pleasant Street, Apt. 205 to 20 Summer Street, Apt. 502. On that date, she obtained nomination papers for Ward 2 School Committee.
7. On July 10, 2025 Ms. Macklin informed the City Clerk's Office via email that she was suspending her campaign for Ward 2 School Committee.
8. On July 24, 2025 Ms. Macklin informed the City Clerk's Office via email she had moved from 20 Summer Street, Apt. 502 to 480 Main Street, Apt. 429. At that time she gave written email instruction that her husband would be coming to City Hall to deliver a change of address voter registration form and asked election staff to issue nomination papers for Ward 4 School Committee.
9. Ms. Macklin followed up the email of July 24th on the same date with a telephone call to the City Clerk's Office to confirm receipt of email. Receipt of email was confirmed by office staff and City Clerk Desiderio approved distribution of nomination packet to be released to Wallace Macklin.

10. At 4:17 PM on July 24, 2025 Wallace Macklin visited the City Clerk's Office with Ms. Macklin's change of address voter registration form. Election staff updated the address in VRIS and distributed a candidate nomination packet to Mr. Macklin on behalf of Dawn Macklin.
11. On July 28, 2025 Dawn Macklin submitted to the Registrar of Voters eight nomination papers containing a total of 78 signatures. Election staff certified 74 names as those of registered voters. These 74 signatures satisfied the requirement for Ms. Macklin to secure a place as a candidate for re-election on the ballot.
12. At 9:13 a.m. on Tuesday, August 12, 2025, Jeffrey Allen Donahue of 56 Tremont Street, filed an objection to the nomination of Dawn Macklin.
13. According to the records held in the City Clerk's Office, Jeffrey Allen Donahue is a registered voter at 56 Tremont Street and a resident of Ward 4, Precinct 3 within the City of Malden.
14. Under Massachusetts General Laws Chapter 55B Section 7, the Board of Registrars and City Solicitor are empowered to make a determination on the validity of the objection and take one of the following actions:
 - Dismiss objection for failure to state a claim or
 - Uphold objection based on evidence presented and void certification
15. Anyone wishing to appeal the determination of this proceeding may do so under the authority of Superior Court.

THE OBJECTION:

The objection essentially states three bases for invalidation of the nomination as follows:

1. That proper procedures for obtaining nomination papers were not followed when Wallace Macklin was allowed to pick up the candidate's packet;
2. That the candidate doesn't reside in Ward 4;
3. That the candidate doesn't reside in Malden but rather another municipality outside of Malden.

PROCEDURAL:

The Board must first decide that the objection is properly before them. Specifically, the Board must find that:

1. Jeffrey Allen Donahue is a registered voter entitled to vote for School Committee, Ward 4 in the City of Malden;
2. That the objection was filed within the time required by law; and
3. That the objection includes in detail each ground for protest.

If the objection is properly before the Board, the Board must then address each specific detail raised in the objection. The Board will hear witnesses and consider documentary evidence provided by either the complainant or respondent.

Anyone who expects to testify this evening will take an oath, under pains and penalties of perjury, that the testimony they will give is true.

FINDING OF FACTS:

1. The Board will begin with considering the manner in which the candidate obtained nomination forms for municipal office and if proper protocol was followed.
The Elections Administrator will be asked to describe the process and in which manner the nomination packet was distributed.
The complainant and respondent will be given an opportunity to make brief arguments for their position.

Based on the testimony, the Board will then vote on this claim.

2. The Board will then consider the residency of the candidate within the City of Malden. Which ward she currently resides in and the dates of when change of address was made.
The City Clerk will be asked to describe office policy with respect to change of voter information.
The complainant and respondent will be given an opportunity to make brief arguments for their position.

Based on the testimony, the Board will then vote on this claim.

3. The Board will next consider allegations that the candidate resides in a municipality outside of Malden.
The Board will hear and consider evidence as it is presented by both parties, be it physical evidence or testimonial evidence.
The complainant and respondent will be given an opportunity to make brief arguments for their position.

Based on the testimony, the Board will then vote on this claim.

DETERMINATION:

The Board will make a final determination as to whether or not the objection should be dismissed or upheld and the nomination vacated.