





COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

STATE BALLOT LAW COMMISSION  
Docket No. 26-02

_____	)
RONALD IACOBUCCI,	)
Objector	)
	)
v.	)
	)
JORDAN KORGOOD,	)
Respondent	)
_____	)

**STATEMENT OF REASONS**

**I. INTRODUCTION**

The Respondent, Jordan Korgood, is a Democratic candidate for Governor’s Council in the Fourth District. To seek that office, she must have been an “inhabitant” of the Commonwealth of Massachusetts for “five years at least immediately preceding [their] election,” which, in this case, is from November 3, 2021. Mass. Const. Amend. Art. 16. On May 29, 2026, an objection was filed challenging the Respondent’s qualifications, claiming she was not an inhabitant of the Commonwealth of Massachusetts for five years preceding the election to be held on November 3, 2026. The objection further claims that the Respondent does not meet the party enrollment requirements set forth in section 48 of chapter 53 of the General Laws. The State Ballot Law Commission (Commission) has jurisdiction to determine whether she satisfies these criterion pursuant to General Laws chapter 55B, section 4.

The Commission finds, rules and concludes that the Objector has proven by a preponderance of the evidence that the Respondent was not an inhabitant of Massachusetts for the five years preceding the date of the election. As such, the Commission need not determine whether she meets the enrollment requirements.

## **II. HEARING**

Evidence was received for one (1) day on June 16, 2026. Two (2) witnesses testified and four (4) exhibits were received. The matter having been heard and, after consideration of the pleadings, stipulations, evidence and argument of the parties, the Commission finds, rules and concludes as set forth in the following sections of this decision.

## **III. FINDINGS OF FACT**

The Commission finds the following facts:

1. To qualify as a candidate for Governor's Council for this election cycle, a candidate must have been an inhabitant of Massachusetts since November 3, 2021.
2. The Respondent registered to vote in New York on April 18, 2019. The address of registration was 107 Syosset Circle, Syosset, NY 11791, which is in Nassau County. The party of her registration was Working Families. She remained registered to vote at this address until 2025.
3. The Respondent voted in person in New York on June 23, 2020 for a Federal Primary and absentee in the November 3, 2020 Federal Election.
4. In 2019, the Respondent moved to Massachusetts to attend college.
5. The Respondent asserts that she has continuously resided in Massachusetts since 2019 and provided various addresses in Massachusetts with the time periods of residency at each.<sup>1</sup>
6. The Respondent currently has a driver's license issued by the State of New York. The Respondent drives a car, which is registered in New York to her father and has New York license plates.
7. Since September 2020, the Respondent has held employment in Massachusetts and paid state income taxes.

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<sup>1</sup> In her affidavit, the Respondent provided seven (7) different addresses and the dates at which she resided in each. The Commission notes unexplained gaps in the information provided of 4 months in 2021, 1 month in 2022, and 6 months in 2024.

8. The Respondent has joined and participated in various social and civic groups in Massachusetts since 2019.

9. The Respondent applied for, received and voted an absentee ballot from New York for the November 5, 2024 Federal Election.

10. The Respondent registered to vote in Massachusetts on August 13, 2025 and enrolled in the Democratic Party at that time.

11. The Respondent voted in Boston in the 2025 Preliminary and City Elections.

#### **IV. ISSUES OF LAW AND CONCLUSIONS**

##### **A. Evidentiary Standard Used by the Commission**

The Commission's findings are based on substantial evidence, which is defined as "such evidence as a reasonable mind might accept as adequate to support a conclusion." G. L. c. 30A, § 1(6) (2012 ed.); Capezzuto v. State Ballot Law Commission, 407 Mass. 949, 952 (1990); Hershkoff v. Registrars of Voters of Worcester, 366 Mass. 570, 574 (1974); Labor Relations Commission v. University Hospital, Inc., 359 Mass. 516, 521; (1971); Almeida Bus Lines, Inc. v. Department of Public Utilities, 348 Mass. 331, 341 (1965).

In proceedings before the Commission, the objector has the burden of going forward. Hamill v. Sawyer, SBLC 90-14 (June 27, 1990). The objector must meet his burden of proof by proving his allegations by a preponderance of the evidence. DeJong v. Owens, SBLC 90-10 (June 22, 1990)

##### **B. Legal Standards Applicable to the Inhabitancy for the Governor's Council**

The Constitution of the Commonwealth of Massachusetts requires that an individual who seeks the office of Governor's Councillor shall be an inhabitant of Massachusetts for at least five (5) years preceding the date of the election for that office. The Constitution of the Commonwealth of Massachusetts states, in pertinent part, that:

No person shall be elected a councillor, who has not been an inhabitant of this commonwealth for the term of five years immediately preceding [their] election;

Mass. Const. Amend. Art. 16.

Throughout its history, the Commission has considered numerous cases dealing with the issue of inhabitancy as it relates to a candidate's qualification to seek elective office. See, e.g., Thomson v. Romney, SBLC 02-05 (June 25, 2002); Valliere v. Reyes, SBLC 00-1 (June 20, 2000); Gonsalves v. Merolla, SBLC 98-3 (June 18, 1998); Hastie v. Stebbins, SBLC 91-1 (August 27, 1991). Accordingly, the Objector must prove, by a preponderance of the evidence, that the Respondent has not been an inhabitant of the district since November 3, 2021.

The term "inhabitant" appears throughout numerous constitutional and statutory provisions relating to a person's right to vote and seek electoral office. It is long settled that the term "inhabitant" in the context of voting is directly applicable when determining inhabitancy in the context of a candidate's qualification to hold office. Mass. Const. Pt. 2, C. 1, § 2, Art. 2; Opinion of the Justices, 240 Mass. 601 (1922).

"Inhabitancy" means domicile for voting purposes. "Every person must have a domicile, and he can have only one domicile at a time, at least for the same purpose. 'A person's domicile is usually the place where he has his home'. . . 'Home is the place where a person dwells and which is the center of his domestic, social and civil life'. . . A change of domicile takes place when a person . . . is physically present in a place and intends to make that place his home for the time at least; 'the fact and intent must occur.'" Dane v. Board of Registrars of Voters, 374 Mass. 152, 161-162, 317 N.E.2d 1358, 1365 (1978); Hershkoff v. Board of Registrars of Voters, 366 Mass. 570, 576-77, 321 N.E.2d 656, 663 (1974) (citations omitted). See Cook v. Bradley, SBLC 87-1 (July 21, 1987); Shaird v. Oliver, SBLC 82-5 at 2 (June 10, 1982), aff'd sub. nom. Oliver v. State Ballot Law Commission, No. 82-825 (Mass. Super., Hampden July 2, 1982); Harrington v. Marion, SBLC 80-

11, at 1-2 (June 16, 1980) aff'd sub. nom. Harrington v. Connolly, No. 42734 (Mass. Super., Suffolk July 25, 1980).

The determination of a person's domicile is a question of fact coupled with a determination as to where the person intended their domicile to be. Both the fact and intent must concur. Hershkoff, 366 Mass. at 577. Once a domicile has been established, it remains as such unless, through compelling evidence, it is shown to have changed. Dane 374 Mass. at 162 ("Domicile once acquired is not lost until a new one is obtained . . . and the original domicile is presumed to have continued in the absence of compelling evidence that it has changed.") (citation omitted); Commonwealth v. Davis, 284 Mass. 41, 49 (1933). "Mere temporary absence does not change [domicile], and personal presence in a place, even for a protracted period, does not of necessity fix the domicil[e] in that place." White v. Stowell, 229 Mass. 594, 597 (1918); Hastie, SLBC 91-1 at 3-4. However, an individual's mere assertion that they consider a particular place their domicile is not, in and of itself, sufficient to satisfy the intent requirement. This intent must be supported by objective manifestations that the person has sufficient contacts with the place they intend to call their domicile. Dane, 374 Mass. at 172-173.

A review of applicable case law and past Commission decisions indicate that elements supportive of intent include existence of a home, civic, charitable and religious affiliations, payment of taxes and insurance, issuance of a driver's license, registration of automobiles, location of bank accounts, location of personal records, celebration of important holidays and events and bills demonstrating a continuation of a household as well as voter registration, voter participation and other political activity. No factor standing alone can be dispositive. McDonnell v. Lozier, SBLC 84-12 at 3 (June 20, 1984).

A person may establish domicile by being physically present in a particular place for "the time at least." Hershkoff, 366 Mass. at 578; Dane, 374 Mass. at 174. Once established, however,

domicile is not lost without compelling evidence that it was the intention of the party to abandon the old domicile coupled with the future intention of establishing a new domicile. Dane, 374 Mass. at 162; Hastie, SBLC 91-1 at 4. Therefore, physical presence in a new location, even for “the time at least,” will not be considered establishment of a party’s domicile in that location without evidence that a person intended to abandon the old domicile and intended to establish the new place as the domicile.

The Commission notes that in the controlling cases in which Massachusetts courts have found a domicile established for “the time at least,” the particular individual seeking to establish domicile for “the time at least” *intended* that the “the time at least” place be their domicile. Hershkoff, 366 Mass. at 571 (students seeking to prove their domicile in Worcester); Dane, 374 Mass. at 162 (inmates seeking to prove their domicile in Concord); Coulumbre v. Board of Registrars, 3 Mass. App. Ct. 206 (1975) (patient seeking to establish domicile in Worcester).

i. **Objectors’ Claim That the Respondent Fails to Satisfy the Five-Year Inhabitancy Requirement of the Massachusetts Constitution**

The Objector argues that because the Respondent remain registered to vote in New York until August 2025 and voted as a New York registered voter in the 2024 Presidential Election, she does not meet the residency requirement. The Commission agrees.

While the Respondent states her presence in Massachusetts for the last five years demonstrates she meets the qualifications of being an inhabitant, the affirmative action of requesting an absentee ballot and voting as a registered voter in New York shows otherwise. To receive an absentee ballot from New York, the Respondent had to complete an application. The paper form of the application presented during the hearing shows that an applicant must sign under the penalty of perjury that they are a qualified and registered voter in New York and that the

information in the application is true and correct.<sup>2</sup> While the Respondent completed her application online, the New York State Board of Elections ballot portal states: “To use this application you must be a registered voter in New York State. Do not use this online form if your registration residence address is not your current residence address. To update your address, submit a new voter registration form or contact your board of elections for assistance.”<sup>3</sup> By submitting this application, the Respondent affirmed that her residence for voting purposes in 2024 was in New York.

The Respondent testified that she retains a New York driver’s license and continues to drive a vehicle registered in New York. The Respondent also testified that she attempted to register to vote in Massachusetts prior to 2025, without specificity as to when, but found the information regarding registering as a student confusing.

Therefore, based on the evidence presented to the Commission, the Objection is sustained on the merits.

ii. **Objector’s Allegation that the Respondent Does Not Meet the Enrollment Requirement**

In light of the Commission’s decision on the Respondent’s failure to have met the durational residency requirement, it need not determine whether she meets the enrollment requirements.

**VI. CONCLUSION**

The Commission therefore, finds, rules and concludes that the Respondent has not met the inhabitancy qualification of the Massachusetts Constitution and is therefore ineligible to appear on

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<sup>2</sup> The 2024-26 New York State Absentee Ballot Application can be found online at: <https://elections.ny.gov/system/files/documents/2024/06/2024-english-absentee-ballot-application-primary-election-only.pdf>

<sup>3</sup> The Commission takes judicial notice that the New York Board of Elections online portal can be found at: <https://ballotapplication.elections.ny.gov/home/absentee>. *Verveine Corp. v. Strathmore Ins. Co.*, 489 Mass. 534, 535-56 & n.5 (2022) (quoting *Commonwealth v. Green*, 408 Mass.48, 50 n.2 (1990)).

the ballot as candidate for the office of Governor's Council. Therefore, based on the evidence presented to the Commission, the Objection is SUSTAINED and the Respondent's name shall not be printed on the Democratic State Primary ballot.