

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Craig Fishbein
Wallingford

File No. 2020-036

FINDINGS & CONCLUSIONS

Complainant Craig Fishbein of Wallingford filed this complaint on April 13, 2020, pursuant to General Statutes § 9-7b, alleging that Daniel Schlorff, of Cheshire, had failed to register a candidate committee within 10 days of becoming a candidate as required under General Statutes § 9-604. After an investigation of the matter, the Commission adopts the following findings of fact and conclusions of law:

1. Complainant alleged that the Respondent, Daniel Schlorff, had failed to follow the timeline in General Statutes § 9-604 that requires candidates to register a candidate committee, or otherwise indicate why they are exempt from forming a candidate committee, within 10 days of becoming a candidate. To support his allegations, Complainant attached several documents, including: posts that Respondent had made to Facebook; print-outs from Respondent's page on Linked-In; and several pages related to <http://schlorff.org>, a website registered by Daniel Schlorff.
2. The complaint alleged that Schlorff had made several posts to Facebook in which he indicated his intention to run for the Connecticut House of Representatives, beginning on or about March 26, 2020. In addition, on March 28, 2020, Schlorff purchased the domain name "schlorff.org" which he stated in the registration with GoDaddy was on behalf of the organization "Schlorff for Connecticut." Schlorff stated that he had paid personally a total of \$30.64 for this registration.
3. Schlorff was clearly intending to run for the 90th district General Assembly seat. In his posts to Facebook, Schlorff's title was changed to "Daniel Schlorff, Democrat for Connecticut." Under the caption "Our Story," dated March 26, 2020, Schlorff was identified as the "Reverend Dr. Daniel Schlorff, 2020 Democratic Candidate for Connecticut State Representative for House District 90 (Wallingford and Cheshire)."
4. Schlorff also wrote a post on March 26, 2020, stating:

Dear friends, I have decided. I have consulted with the Democratic Town Committee leadership of both Wallingford and Cheshire and will continue dialogue with the whole lot soon. I have started applications for endorsements with Working Families Party, Victory Fund, and Progressive Change Campaign Committee. I

have begun to build a campaign staff. And I think I'll have the support to win. So, I'm making this soft announcement to you today: I will indeed run for CT State Representative this November. . . .¹

Schlorff also remarked in that Facebook post that “[t]o qualify for public funds, I will be asking residents in my district (House District 90) for \$5-10 donations . . . after I officially file.”

5. On his website, schlorff.org, Respondent went into greater detail about his “Campaign for the Common Good,” explaining various policies and reforms that he would propose and enact once he became a state representative.

6. According to Schlorff, he was forced to move on Sunday, April 5, from the house in which he was living in Cheshire. He moved to a new home outside of the 90th General Assembly district. Schlorff was never endorsed by either the Cheshire or Wallingford Democratic town committees and abandoned his candidacy after moving his domicile from the district.

7. General Statutes § 9-604 requires a candidate to register a candidate committee or otherwise claim some exemption from forming a candidate committee within 10 days of a becoming a candidate. General Statutes § 9-601 (11) defines a candidate as:

an individual who seeks nomination for election or election to public office whether or not such individual is elected, and for the purposes of this chapter and chapter 157, an individual shall be deemed to seek nomination for election or election if such individual has (A) been endorsed by a party or become eligible for a position on the ballot at an election or primary, or (B) solicited or received contributions, other than for a party committee, made expenditures or given such individual's consent to any other person, other than a party committee, to solicit or receive contributions or make expenditures with the intent to bring about such individual's nomination for election or election to any such office.

8. If an individual makes an expenditure to bring about that individual's nomination for election to a public office, then under General Statutes § 9-601 (11) that individual will be deemed to be a candidate under chapter 155. General Statutes § 9-601b (a)(1) defines

¹ Post to “Daniel Schlorff, Democrat for Connecticut” Facebook, March 26, 2020 (<https://www.facebook.com/SchlorffCT/posts/1396733373830022>).

an “expenditure” as “[a]ny purchase . . . [or] payment . . . when made to promote the success or defeat of any candidate seeking the nomination for election . . .”²

9. Respondent here clearly stated his intention to run for the General Assembly and posted messages to social media and his personal website reflecting that goal. His message on Facebook on March 26 not only indicated that he was going to run for the 90th seat in the House of Representatives but also informed his supporters that he would need contributions from them once he got his candidate committee established. By spending \$30.64 to purchase the domain name, Schlorff made an expenditure to promote his candidacy.
10. Because the candidate abandoned his candidacy shortly after announcing his intention to run, received no contributions to support his candidacy, and made only a single expenditure of \$30 to support his candidacy, the commission will take no further action in this matter.

² There are also exceptions to this broad definition of “expenditure,” including at General Statutes § 9-601b (b)(15) which includes an exemption for “expenses incurred by a human being acting alone in an amount that is two hundred dollars or less, in the aggregate, that benefits a candidate for a single election.”

ORDER

IT IS HEREBY ORDERED THAT the Commission will take no further action on this matter.

Adopted this 1 day of July, 2020 at Hartford, Connecticut by vote of the Commission.


Commissioner *Vice Chairperson*
By Order of the Commission

Salvatore A. Bramante