The Honorable Peter C. Schwartzkopf June 20, 2022

Speaker of the House

Delaware House of Representatives USPS

Delaware General Assembly &

411 Legislative Avenue Electronic Mail

Dover, Delaware 19901

Peter.Schwartzkopf@delaware.gov

**RE: Ethics Complaint - Representative Valerie Longhurst, House Majority Leader**

Dear Speaker Schwartzkopf:

 Please accept this letter as the formal filing of an ethics complaint by the Sussex County Republican Committee against House Majority Leader, Valerie Longhurst concerning her conduct and demeanor with regard to her handling of House Bill 450 and House Amendment #1 as well as House Bill 451 during the Second Session of the 151st Delaware General Assembly, June 8 & 9, 2022.

 As your records will reflect, Representative Longhurst was the Prime Sponsor on House Bill 450. House Bill 450 is a public safety bill that was assigned to the House Administration Committee which is Chaired by Representative Longhurst. One would have expected that this bill would have been assigned to either the House Public Safety and Homeland Security Committee or the House Judiciary Committee rather than to the committee having primary jurisdiction over such bills. Not only was this bill assigned to a committee the Prime Sponsor chairs but also a committee where the majority of the committee members are also sponsors of the bill, you, sir and House Majority Whip Mitchell. This, by itself, raises serious ethical issues.

 Because Representative Longhurst was the Prime Sponsor on the bill, she should have, but did not, recuse herself as Chair of the Committee. In addition, neither she nor any other sponsor recused themselves from considering this measure within the committee. By all fundamental principles of due process, ethics and common precepts of fundamental fairness, Representative Longhurst should have recused herself from chairing that meeting of the committee and from consideration of the bill within the committee, for which she was prime sponsor. However, she did not.

 The purpose of legislative committee hearings is to elicit input from the public and experts with knowledge of the facts and issues pertinent to the bill under consideration. This process is to allow the committee members and to consider the overall efficacy, advisability, legality, and constitutionality of the bill as proposed. It provides the members an opportunity to consider the need for amendments, and to determine whether a bill is appropriate for consideration by the whole House. In other words, the purpose of a committee hearing is to hear from all concerned, to learn from all concerned, and to address the issues raised by all concerned. That did not happen because Representative Longhurst intentionally and with forethought used her power of the Chair to unethically prevent that from happening, and to thwart the ethical legislative process.

 In her quest to see that her bill was released from committee and sent to the floor of the House for consideration where she also controls the Agenda as House Majority Leader, Representative Longhurst inappropriately and unethically used her power as Chair to arbitrarily and capriciously limit public comment to one (1) minute per witness; limit the number of witnesses by limiting the time for the hearing; and in the process overruled the House Minority Leader when he asked for more time for public comment. Finally, she blatantly ignored warnings as to the questionable constitutional efficacy of the bill as written. By her actions she essentially ignored her oath of office to uphold the Constitution of the State of Delaware, making a statement to the effect that the courts could rule on the constitutionality of the measure in question after it had been passed. With these actions she showed her utter distain for the citizens who expressed opposition to her bill, and for the democratic process, fundamental due process, free speech and the right of the people to petition their government.

 Representative Longhurst further expressed her disdain for the concept of legislative due process by withholding from the committee and from the public both the contents and concepts contained with an amendment she even then fully intended to introduce, and did introduce, the following day, House Amendment 1 to House Bill 450.

House Amendment 1 to House Bill 450 dramatically and fundamentally changed the tone, tenor, concept and legal impact of House Bill 450. Not only did Representative Longhurst withhold from both the committee and the public her intent to introduce this Amendment, she intentionally failed to give other legislators and the public any warning, that she intended to dramatically change House Bill 450 from the bill under consideration in her House Administration Committee to the Bill ultimately voted upon on the floor of the House the next day.

 Representative Longhurst’s conduct with regard to her handling of House Amendment #1 to House Bill 450, as the Prime Sponsor, as the Chair of the House Administration Committee, and as House Majority Leader were at best unethical and at worst, possibly a violation of her sacred oath of office.

 In addition to House Bill 450, another public safety bill, House Bill 451, was also before Representative Longhurst’s House Administration Committee on June 8, 2022. Representative Longhurst was not the Prime Sponsor on House Bill 451 sir, you were.

She was, however, the senior Additional House Sponsor and as such had a vested interest in its passage nearly as great as the interest she held in House Bill 450. For that reason, she should have recused herself from serving as Chair. And as Chair, she should have recognized that you as Prime Sponsor and Representative Mitchell as another Additional House Sponsor both had heightened vested interests in the Bill and could not ethically chair the meeting. In fact, she should have requested that the Bill be moved back to the committee with prime jurisdiction over this type of bill, which in this case should have been the House Public Safety and Homeland Security Committee or the House Judiciary Committee. Unfortunately, she did none of those things, opting instead to use her office to ram through legislation in which she had a vested interest without regard for the rights and interests of the People of the State of Delaware.

 Ignoring her ethical obligations, Representative Longhurst continued as Chair and conducted the “hearing” on House Bill 451 in the same manner as previously described for House Bill 450. She limited comment to one (1) minute, treated witnesses with utter contempt and distain, thwarted the required legislative due process and totally ignored her duties as Chair, as more particularly described above.

 Representative Longhurst’s conduct regarding House Bill 450 and House Bill 451 on June 8th and 9th of this year are at best reprehensible and unethical and at worst represent an unacceptable abandonment of her oath of office as a Representative of the People of the State of Delaware.

 Therefore, on behalf and at the direction of the members of the Sussex County Republican Committee, I hereby submit this matter to you as a formal ethics complaint and respectfully request that you initiate the proper process for a full, fair and public adjudication of this matter.

 The members of the Sussex County Republican Committee look forward to receiving your timely response to this submission.

 Respectfully submitted,

 Marilyn Booker, Chairwoman

Sussex County Republican Committee

Cc:

 Outside Counsel

House Ethics Committee

 Republican State Committee

 File