

Complaint Against State Representative Valerie Longhurst RD 15

This complaint is presented in three sections below. Part I summarizes the key facts documenting Majority Leader Valerie Longhurst's role as Executive Director of the Police Athletic League (PAL) of Delaware and the increased state funding obtained by agency following her appointment.

Part II presents the violations of Delaware law demonstrated by Representative Longhurst's actions. Part III presents a more detailed report of state funding received by PAL during Representative Longhurst's tenure as Executive Director.

I. Complaint Summary

Valerie Longhurst was elected to the House in 2004 and became Majority Leader in 2012. In January 2018, she accepted the position of Executive Director of the Delaware Police Athletic League (PAL). She served on the PAL Board for several years before that.

Her current General Assembly bio reads, "Occupation–Executive Director, Police Athletic League of Delaware." However, here is a [January 28, 2021 screenshot of her bio](#) when it read "Occupation–Full Time Legislator." Three years after accepting the PAL job as Executive Director, Valerie Longhurst was still misrepresenting her occupational status.

Longhurst's PAL salary is \$75,000. Those earnings are in addition to her salary as Majority Leader. She has not recused herself from voting on Grant in Aid or on the budgets of state agencies which provide increasingly generous funding for PAL. This 2018 article in the [Delaware State News](#) raised the conflict-of-interest issue for Representative Longhurst.

The PAL Board which selected her included four former or current colleagues in the General Assembly including Bill Oberle, Roger Roy, Terry Spence and John 'Larry' Mitchell. PAL apparently values political influence in selecting both Board Members and Executive Directors.

This Complaint is a call for an official inquiry to determine whether there was a fair and open competition for the position of PAL Executive Director when Representative Longhurst was hired in 2018, and whether she used her position as House Majority Leader to obtain additional state funding for PAL.

How did the position of PAL Executive Director become open?

How did Representative Longhurst become an applicant for the position?

How broad, extensive, and lengthy was the search process for a new Executive Director?

Who were the other applicants for the position of Executive Director and what were their qualifications?

What role did Representative Longhurst's position as a powerful legislator play in the Board's selection process?

What steps did the Board take to provide a level playing field for selecting a new Executive Director?

Did Representative Longhurst use her position as Majority Leader to gain additional state funding for PAL?

These are all questions which could and should be answered by a DCRPT inquiry. Section III of this complaint provides more detailed information on PAL's funding.

II. Violations of Delaware Law:

The first citation below is from Title 11 of the Delaware Criminal Code, Chapter 5. Specific Offenses, Subchapter VI. Offenses Against Public Administration. Portions of the statute have been bolded for emphasis.

In this case, the "public servant" referred to in this complaint is State Representative Valerie Longhurst. The bolded definitions section explicitly states that legislators are "Public Servants".

The complaint is that Representative Longhurst was "guilty of official misconduct" and "intending to obtain a personal benefit" when she applied for and accepted the position of Executive Director of PAL. Point (3) under § 1211 states that the Public Servant is guilty when she "functions in a way intended to benefit the public servant's own property or financial interests...". In this case "property or financial interests" refers to Representative Longhurst's \$75,000 salary as Executive Director of PAL.

Representative Longhurst's actions in voting on PAL budget matters without recusing also violated Article II, Section 20 of the Delaware Constitution which is also copied below.

Part B

Abuse of Office

§ 1211. Official misconduct; class A misdemeanor.

A public servant is guilty of official misconduct when, intending to obtain a personal benefit or to cause harm to another person:

(3) **The public servant performs official functions in a way intended to benefit the public servant’s own property or financial interests** under circumstances in which the public servant’s actions would not have been reasonably justified in consideration of the factors which ought to have been taken into account in performing official functions; or

§ 1213. Definitions relating to abuse of office.

In §§ 1211 and 1212 of this title, **the definitions given in § 1209 of this title apply.**

§ 1209. Definitions relating to bribery and improper influence.

As used in §§ 1201-1208 of this title:

(4) **“Public servant” means any officer or employee of the State or any political subdivision thereof, including legislators** and judges, and any person participating as juror, advisor or consultant in performing a governmental function but the term does not include witnesses. This definition includes persons who are candidates for office or who have been elected to office but who have not yet assumed office.

Article II, Section 20 of the Delaware Constitution states:

“Any member of the General Assembly who has a personal or private interest in any measure or bill pending in the General Assembly shall disclose the fact to the House of which he or she is a member and shall not vote thereon.”

III. Funding for the Police Athletic League (PAL)

Table 1 presents PAL’s expenditure of state funds from FY 2017 through 12/22/2020. For both Grant in Aid and the Online Checkbook, PAL is divided into two operating units labelled “Delaware” and “Wilmington”. These units are combined in this table. During this period, the PAL Grant-in Aid budget was \$336,869 for every year except 2018 when it dipped to \$296,110.

**Table 1
Police Athletic League—Total State Online Checkbook**

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Delaware	\$516,328	\$312,197	\$334,122	\$524,480	\$619,256
Wilmington	\$130,031	\$276,759	\$394,012	\$629,627	\$251,701
Total	\$646,359	\$588,956	\$728,134	\$1,154,107	\$870,957

Expenditures through 12/22/2020

Under Longhurst’s leadership, PAL has become a state spending juggernaut. The agency almost doubled state expenditures from 2018 to 2020. Based on year-to-date data for FY 2021, PAL’s expenditures will more than double between FY 2019 and FY 2021.

In addition to Grant in Aid, during this period PAL started receiving funds from Delaware Departments including Education, State, Transportation, and Children, Youth, and Their Families. The Department of Education contributed \$461,903 in 2020. With \$536,668 year-to-date in FY 2021, DOE funds spent by PAL should top \$1 million this fiscal year.

The other factor which has propelled PAL’s rapid increase in expenditures is overspending the Grant in Aid budget. Table 2 combines State Online Checkbook data for both PAL operating Units for FY 2020.

This chart provides additional insight regarding the virtual doubling of expenditure from FY 2018 to FY 2020. First, two Departments (DOE and DSCYF) contributed over half a million to PAL’s expenditures. Second, with GIA expenditures of 618,397 and a GIA budget of only \$336,869, PAL overspent the GIA budget by \$281,528 or 84%.

Table 2
PAL—Online Checkbook Expenditures 2020

	PAL Wilmington	PAL DE	PAL Total	GIA Budget	GIA Over Budget
By Department					
Department of Education	\$338,224	\$123,679	\$461,903		
Other Elective Offices	\$153,269	\$247,600	\$400,869		
Executive	\$91,438	\$153,201	\$244,639		
SVS Fr Children, Youth, Families	\$46,694	\$0	\$46,694		
Total	\$629,625	\$524,480	\$1,154,105		
By Expense Category					
Purchase of Care	\$338,224	\$0	\$338,224		
Grants in Aid	\$217,596	\$400,801	\$618,397	\$336,869	\$281,528
Other Professional Service	\$46,695	\$0	\$46,695		
Fed Grant Sub Recipient	\$27,112	\$0	\$27,112		
Instructional Support Services	\$0	\$73,679	\$73,679		
Instructional Services	\$0	\$50,000	\$50,000		
Total	\$629,627	\$524,480	\$1,154,107		

Valerie Longhurst replaced Robert Jameson as PAL’s Executive Director. Robert Jameson was also the registered lobbyist for PAL. PAL currently doesn’t have a registered lobbyist. The Delaware State News quotes Longhurst as stating, “she would not use her new position to advocate for PAL”.

Is this a conundrum for the PAL Board? Normally the Executive Director would be expected to advocate for the agency, and now PAL does not have a lobbyist in Dover. It’s doubtful the PAL Board is losing sleep because state funding for PAL has flourished under Longhurst’s dual leadership of both the House and PAL.