

Senate Republicans Issue Statement Regarding SCR 128

DOVER, DE – Members of the Delaware State Senate Republican Caucus issued the below statement immediately following the announcement of Monday’s special session to consider Senate Concurrent Resolution 128.

“This afternoon, the Senate President Pro Tempore, David Sokola, announced the Delaware State Senate will reconvene on Monday, July 25, 2022 at 3:00 p.m. to consider Senate Concurrent Resolution 128 (SCR 128). SCR 128 provides notice of hearings to begin the process of removing Auditor of Accounts Kathleen McGuinness from office.

“Our caucus maintains the same position that we did when the initial, and later withdrawn, charges were announced: Auditor McGuinness is entitled to due process. In its press release on July 5, 2022, Governor Carney’s office stated, “However, it is the Governor’s responsibility under the law to await the final determination of the court and then to determine his constitutional obligations after the entry of judgment.” Likewise, the introduction and debate of SCR 128 is premature. The continued push for removal prior to the conclusion of a criminal trial is troubling and strikes at the bedrock principal of the presumption of innocence.

“While Auditor McGuinness was found guilty of three misdemeanors by a jury of her peers, the trial court judge has yet to enter the verdict of the jury and multiple motions remain open, including those to dismiss the charges altogether. Until those rulings by the trial judge are made, the General Assembly should not be entertaining the idea of removing a duly elected official.

“As is the case with any citizen of this state, the Auditor has the absolute right to due process as guaranteed in the United States Constitution.”

The Senate Republican Caucus is comprised of Senators Gerald Hocker (Senate Republican Leader, 20th District), Brian Pettyjohn (Senate Republican Whip, 19th District), Colin Bonini (16th District), Dave Lawson (15th District), Ernie López (6th District), Bryant Richardson (21st District), and Dave Wilson (18th District).

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