

CPRAB Minutes – June 12, 2023

The June, 2023 regular meeting of the Civilian Police Review and Advisory Board (CPRAB) was called to order on June 12, 2023 by chair Rich Burks.

Members present, in addition to Rich Burks, were Bryan Church, Dady Dadyburjour, Bob Cohen (by Zoom), Rachel Fetty, Catherine Fonseca (by Zoom), Megan Gandy and Nicole Lauffer.

Minutes of the April meeting, as amended with a correction to the list of committee members, were approved unanimously on motion of Nikki Lauffer, seconded by Megan Gandy. The Minutes of the May meeting will be circulated in the future.

By-laws Committee – Bob Cohen reported that he was preparing a draft of proposed By-laws. In addition to the Ordinance creating the CPRAB, he was reviewing the By-laws of all City of Morgantown boards and commissions which had by-laws, and also the By-laws of civilian police review boards in Columbus, OH, Charlottesville, VA, Fairfax County, VA, Eugene, OR, and Columbia, SC. The elements of the proposed CPRAB would include the authority under which the Board operated, the structure of the Board, and the powers and duties of the Board.

A discussion was held among the members regarding elements that the By-laws should contain. In that context, it was noted that training by the National Association for Civilian Oversight of Law Enforcement (NACOLE) or similar organization, required under section 178.04(d) of Ordinance 2022-12, would involve costs. On motion of Megan Gandy seconded by Nicole Lauffer, the Board voted unanimously to authorize Rachel Fetty to request funds for training from City officials.

Training Committee – Rich Burks reported that he had contacted NACOLE about training possibilities. A municipality can join NACOLE at a cost of approximately \$500.00 per year, and this would give the CPRAB access to training and information about best practices. There are no other major providers of training for civilian police review and advisory boards.

Rich Burks further reported that NACOLE will be holding a conference on November 12-16 in Chicago, and that this would be a good opportunity for CPRAB

members to network with and learn from other similar boards. Board members indicated interest in attending this NACOLE conference. It was agreed to add coverage of the NACOLE conference costs to the request for funding which will be made to City officials.

Community Outreach Committee - Megan Gandy reported that she had reached out to Morgantown Pride and to City Councilor Brian Butcher. Their suggestions included:

1. Listening sessions – opportunities for the community or a subset of the community to communicate with the Morgantown Police Department (MPD), using the CPRAB as mediator/facilitator.
2. Suggestion Box – for complaints and other communications.
3. Safe Zone Training – for officers of the MPD, using Officer Marshall Foster, the MPD’s liaison to the LGBTQ community, as the principal contact.

Members discussed providing opportunities – public gatherings in evenings - for Morgantown citizens to present issues or suggestions about policing to the Board. These might be set up in coordination with organizations such as the NAACP or Morgantown Pride. Suggestions were made for groups of people to reach out to, including faith organizations, young people and immigrant groups.

Statistics and Reporting Committee – Rich Burks reported that he had met with Jim Nolan and they had reviewed the types of information that the Board may want to seek from the MPD, such as age, gender and race breakdowns for arrests, stops and searches, breakdowns of charges arising out of each arrest, breakdowns of larceny and burglary charges by time, day and location, and the meaning of “other” in the crime-reporting statistics. Other issues discussed included a comparison of arrests which end up in Morgantown Police Court versus those that go to county Magistrates, and criminal charges which arise out of panhandling incidents.

Members reviewed the email from Deputy Chief P.J. Scott about the types of statistics collected. It was agreed that the Statistics and Reporting Committee would follow up with Deputy Chief Scott about the range of statistics maintained by the MPD.

Other Business

Members discussed setting goals for the Board, noting that the Ordinance required that a work plan for the Board be submitted to the City by January 31, 2024. Also discussed was the timing of the promulgation of By-laws for the Board. In that context, members discussed public notice requirements for committee meetings. It was agreed that Rich Burks would consult with City Attorney Ryan Simonton about the public notice requirements.

The May 22, 2023 meeting with Deputy Chief Scott and Captain Matt Solomon was reviewed, including differing views on police officers putting their hands on their guns when approaching citizens, the apparent lack of additional formal training after a new officer leaves the academy, the lack of a formal manual for police actions such as traffic stops, and the extent of training in de-escalation practices.

Rich Burks stated that he had reviewed the curriculum outline for the state police academy. There are eight hours devoted to de-escalation and four hours on constitutional law, but 208 hours devoted to self-defense and use of weapons. Rich Burks will try to obtain comparable information for the new training program at Fairmont State University. The doctrine of qualified immunity was also discussed.

Due to the length of time devoted to other agenda items, discussion of the materials needed to prepare for a discussion with the MPD about the August 24, 2021 incident at Sheetz was postponed to the Board's July meeting.

It was agreed to do a poll for the date of the next regular Board meeting.

The meeting was adjourned on motion of Megan Gandy seconded by Bryan Church.