

## **My Life Working on Social and Environmental Justice in Morgantown**

### ***A Mon. Valley Community Coalition for Social Justice (CCSJ) Invited Presentation-***

***Don Spencer - February 20, 2024, Edited March 24, 2024***

Before coming to Morgantown, in Boston I learned ways in which psychedelic drugs can be indispensable. I quickly became aware of and concerned about persons going to the WVU Hospital to seek help for drug use and then being arrested because hospital administrators were notifying law enforcement that a patient was using drugs.

I arrived in Morgantown in the fall of 1968 to serve as an Associate Campus Minister with the Westminster Foundation of the United Presbyterian Church denomination. In the spring of 1969, Charles "Snork" Roberts, the Episcopal Campus Minister and I decided that we would convene a meeting to discuss the situation with the Prosecuting Attorney, the Sheriff, the Morgantown Chief of Police - plus representatives of the WVU Schools of Pharmacy, psychiatry, the WVU hospital administration and several informed students at the Evansdale Campus Ministry center located at the time on Oakland Street near the hospital.

The results of that discussion were that the hospital would stop notifying the police when persons using drugs came to the hospital for help; the police would stop arresting people seeking help; and the students would help organize peer counseling for persons in drug crisis. In fact, we helped organize a Council for Drug Information which had a volunteer 24-hour telephone access service based at Neuman Hall where students in need of help could call day or night – 24/7.

When we realized that 296-DRUG was mostly being used by students, we set up an Information, Referral, and Crisis call-line in the basement of the WCTU building operated by a new organization we called the Community NEED Council. The Drug Council service continued until the drug scene changed to barbiturates and amphetamines two years later. These drugs created problems beyond the means of peer volunteers, and so the Drug Council peer support services were immediately discontinued. The 296-NEED phone line first set-up in 1970 was covered around the clock - first by trained volunteers and later by volunteers who became staff. The service continued to operate for almost 5 years, and was discontinued due to lack of funding.

In working with drug use and some other crisis problems, we became aware of a deficiency in diverse and accessible recreation facilities in the Morgantown community. There were bowling alleys in the Lair for WVU students and in two community locations, but most of the gymnasiums were unavailable for walk-in access. There were multiple readily available bars and night spots, but they were not places where people of any age or circumstance could visit either informally or in groups to participate in physical recreational activities.

Several persons working on drug and crisis concerns began working with Community Recreation Superintendent Jim Shepherd to formulate priorities for a diversified recreation plan. The two main first projects were a municipal artificial ice-skating rink in First Ward Park and a second city pool in Krepps Park. Both would serve persons of all ages and descriptions, and together they would increase diversity in year-around informal and organized physical community recreation opportunities.

The In Touch and Concerned (ITAC) telephone reassurance and escort transportation service for the elderly was a another spin off from the crisis intervention work. Whereas persons with drug use problems often needed to become more active, many older callers were persons living in isolation and needed more personal contact. With federal grant assistance administered by the WV Commission on Aging, the Need Council was able to establish a telephone reassurance and transport service called "In Touch and Concerned". ITAC daily contact services for isolated elders, like the recreation facilities initiatives for persons needing more activity, proved to be an effective service and functioned from 1973 until 2017.

As noted, the IHAC initial funding came from a pass-through federal grant (from the Older Americans Act) administered by the West Virginia Commission on Aging. Circumstances required in Morgantown that funding for the recreation project, however, be a city-approved levy election passed to obtain matching funds for Appalachian Regional Commission support. This effort involved the work of a campaign committee which included persons who had worked on the Drug Council with the assistance of many others as well.

Some of these other people were City Councilor Florence Merrow, volunteer architect Mike Lovallo, Van Anderson – assistant to and later successor to Jim Shepherd, Rev. Richard Krajewski, most service club organizations in the city, the local office of C & P Telephone, the City Sanitation Department, the WVU Hockey Club, and others. My employer, the Local Administrative Committee of the Westminster Campus Ministry Foundation authorized me to take a month off from all other responsibilities to orchestrate the extensive campaign plan for the levy election. The levy was approved by 76% vote on December 5, 1972. Both initiatives attracted strong board and staff leadership thereafter.

The Municipal Ice Arena and the Krepps Park Pool continued to be strong recreation resources for the Morgantown community more than 50 years after their planning and recreation levy was first initiated by persons working to provide alternatives to drug use.

Until 1973 and the adoption of Roe vs. Wade by the Supreme Court, a critical human concern that campus ministers had to address was the matter of problem pregnancies. On several occasions young women of all religions and economic circumstances would come seeking information on where they could receive a safe abortion. The reports that we received on inhumane and exploitive local abortion services indicated that it was a dangerous task trying to find safe services in our area.

Accordingly, I began referring women to a church in New York City which helped women arrange flights to the London area. The women were able to stay overnight at the church and be taken to the airport the next morning, fly to London, have the procedure with British public medical services – again with the support of a host church, and fly back to New York. The process cost \$500, but it was safe and legal and church supported in New York and London.

Other services provided through campus ministry in Morgantown were film series programs at both the Mountainlair and the local Presbyterian Church, preaching sermons related to stopping war and in support of community recreation, group pre-marital counseling series, travel-study seminars (two of seven of which made contact with former WVU students in Toronto who had migrated to Canada to avoid the draft), supporting draft counseling services and testifying on behalf arrested students in courtrooms, participating in anti-war demonstrations in Morgantown and Washington D.C., supporting racial civil rights initiatives at the Shack and Rock Forge, Jackson's Mill, Charleston and Washington, DC, and demonstrating for protection of the environment at strip mines sites and in courtrooms.

I worked out of town in Fairmont and then Cumberland for 25 years from the year 1973 until I retired in 1998. Even while employed out-of-town, I remained a full-time volunteer in Morgantown. In 2000 I completed a 3,400-mile bike trip across the country with the American Lung Association from Seattle to DC and was inspired by many of the towns that I visited. I kept asking myself, "Why can't we do that in Morgantown?"

The first thing I did when I returned home from this bike trip was to team up with a group on people concerned about a Highways Department plan to build a bypass around the north side of Morgantown. From my travels, I knew that a bypass would be a mistaken first priority. A circular bypass around a community creates a donut with a big hole in the middle. New investments would be constructed along the bypass and compete with those which remain in the middle without competitive infrastructure. A central city disintegrates economically and socially in a donut hole. Pedestrian infrastructure also remains a low priority.

We called our committee the "First Things First Committee" ( FTF). Our emphasis was to "improve from the inside out". We met weekly at the Lutheran Church basement and fought valiantly against the bypass and for internal road improvements. The bypass did not happen, but little else happened either. Our four priorities were:

1. Up-grading and extending Greenbag Road to 705 as an internal ring-road (with good intersections),
2. Widening the Mileground,
3. Up-grading and widening Beechurst,
4. Widening and upgrading the main road in Sabraton.

The last one was accomplished but with reductions in the designs that FTF was hoping for.

The Mileground has just been renovated this past year, and Beechurst will be completed in some form this year – 20 years after First Things First. Each will be the kind of enhancement which should strengthen city growth before bypass construction. FTF had some excellent support in the signed petitions supporting for its campaign. Even Mike Puskar, President of Mylan Pharmaceuticals and most city business people understood the need to fix-up interior roads before endangering sprawl generating roads on the outside of the community.

The second thing that I did after my awakening bike trip was to run for City Council. One of the first things I learned on City Council was that some members had acquired the funds for their campaigns from just one or two other persons. In my first campaign I had accepted \$100 contributions from a few persons, but I quickly realized that those larger contributions influenced my perspective on various issues.

I explored municipal campaign finance reform options and learned that the ACLU promoted the use of small donations for campaigns of various magnitude, and so for my second campaign I limited the size of contributions that I would accept to \$10. I did so for each of my remaining seven campaigns on City Council. It was better for me and for the process. The word got around but none of my fellow councilors expressed interest in joining me in supporting campaign reform for the city.

Another thing that I learned early was that there were many items that local city councils could not address because of state code restrictions. During my first three years on City Council (as of 2006), I made a list of 34 topics that the Morgantown City Council could not address because of state policy. Lack of home rule is largely created by the dominance of Dillon's Rule which means if the state code does not specifically allow a community to do something, it is not permitted.

Some of the items included restricting the issue of tickets to police only. That meant that issuance of tickets for littering, mishandling of trash, and most parking infractions were not addressed. With the support of City Council, I brought bills to the legislature relating to allowing other related city departments to issue tickets on mismanagement of waste and parking. With the support of friendly legislators in both houses and support of the Municipal League, we got both bills passed.

The most important home rule legislation we succeeded in getting passed happened in 2006 and 2007. In attending a Municipal League meeting in Chester, WV in the fall of 2006, I talked with Jim Hunt of Clarksburg and several other city councilors from other communities about the need for better home rule for cities in West Virginia, Before leaving the meeting I drafted a 2-page position paper for a pilot home rule bill which became the substance for a resolution passed by the Morgantown City Council calling for the State Legislature to pass a pilot home rule bill. The title of the paper was "Home Rule and West Virginia Cities".

With the support of Senator Ed Bowman of Weirton and Delegate Barbara Fleischauser of Morgantown as well as the Municipal League, we got the bill passed just before the midnight

closing of the 2007 session. I spent 10 days throughout the legislative session in Charleston helping to generate support for the legislation.

A legislative joint committee mulled over the implications of the approved pilot home rule bill and decided that only projects approved by the committee would be acceptable for home rule. It proved to be an important beginning and a means for addressing Dillon's Rule rulings. Several cities made requests which were approved. The state's stranglehold on city policy formation and ability to solve local problems began to loosen-up.

Morgantown in 2010 had 15,822 registered voters. During the first four elections in the first decade of the 21<sup>st</sup> century the average Morgantown voter turnout was 9%. The Council joined the citizens in being concerned about the low voter participation and began exploring the viability of the vote-by-mail system first established in Oregon where installing the vote by mail system increased voter participation by 10-20%.

Morgantown passed a resolution supporting State approval for a Vote-by-Mail Pilot Program. With lots of advocacy at the state legislature, the pilot program was approved. Morgantown was selected to be one of the pilot cities and as a result of its first election, the increase in voter turnout increased not by 10-20% but by over 100%. Instead of the 9% turnout which Morgantown had been averaging, the percentage of registered voters voting in the 2011 election was 22%. The benefits included reduction in time and expense recruiting poll workers, less pressure processing ballots on election day, uniformity in applications of voting laws throughout the city, more time to check validity of signatures, better ability to identify correct address of voters, reduced voting machine costs and maintenance, reduction in overall election costs, etc.

Much of the access that I had in Charleston with legislation was built on support of the Municipal League and local legislators. My use of adopted city resolutions and brief position papers helped with these state contacts. I usually did not go to the legislature without having done basic homework – and having brief, succinct copies of descriptive papers on issues which I could leave with all I talked with. At home I did not conduct any meeting of the Morgantown City Council without having met with the city manager and sometimes other staff to know what the context was on each issue.

During my time on City Council, I provided leadership for the establishment of 9 additional boards, commissions and committees (see footnote 1) so that there could be better public input on key issues as well as better implementation of changes when improvements were possible.

I wrote 33 papers on best practices relating to issues the council addressed and brought forward 17 resolutions and several amendments to ordinances to the City Council – all of which were adopted. I provided staff work for committees' or commissions when no funds were available to support such services. These projects included:

- Researching and preparing a 100-page council-adopted Pedestrian Safety Plan,

- Writing 6 successful grant applications benefitting Dorsey Knob Park,
- Developing a handbook for city neighborhood associations,
- Organizing orientation materials for a new city manager,
- Drafting guidelines for multiple new commissions and committees,
- Making multiple trips to Charleston and one to Boston to support critical action on legislative changes benefitting the city,
- And more.

When I went off City Council on June 30, 2011 (see footnote 2), I had been working intently with Mayor Byrne on controlling fracking within or adjacent to the city limits and its water supply. I was also working on seven other projects. One was the establishment of an Inclusive City Commission. Barb Howe worked on the rewording of the Human Rights Ordinance and added the words to the Commission responsibilities: to be, “building an inclusive community.” This change helped the Commission become more prevention-oriented rather than being only enforcement-oriented as it had been in the past.

The city council at that time would not approve of the establishment of an “Inclusive City Commission” but it agreed to accept the new entity if the name for the commission would be a “Human Rights Commission.”. The Human Rights Commission was thereby re-established, except with a reworded ordinance and action-oriented people appointed. The Commission went on to generate ten years of important history. It was certainly one of the most comfortable times of doing public service in my life. Here are some of the accomplishments:

1. An extensive need survey was conducted with 657 participants with the leadership of retired professor of Social Work Bob Jones and with the assistance of 27 local organizations.
2. An endowed human rights film festival was established.
3. An annual International Human Rights Day celebration with community awards was generated for the months of December.
4. Compilation of an orientation to Human Rights Commission with 30 topics and 60 links
5. Generation of fourteen resolutions adopted by City Council
6. Preparation of a non-discrimination act adopted on October 17, 2017 – a city birthday
7. An inclusive city welcome statement brought to the City Council for adoption
8. Drafting of a proposed DEI Plan for the city, adopted after re-drafting on March 3, 2020
9. Development of a city services anti-bullying ordinance adopted by the City Council
10. And more.

It has been a privilege to work with so many important contributors all along the way. I cannot begin to make a list of significant people who have worked to enable the best for all. I will mention one, however. Jan Derry was the chair of Human Rights Commission 2014 – 2020 and did a magnificent job – enabling the Commission to excel in its productivity and its vision.

\*Footnote #1

*Airport Advisory Committee (now inactive)*  
*Human Rights Commission (originally an Inclusive City Committee)*  
*Municipal Bicycle Board*  
*Municipal Green Team*  
*Neighborhood Coordinating Council*  
*Pedestrian Safety Board*  
*Rental Housing Advisory Committee (since upgraded to a Commission)*  
*Solid Waste Advisory Committee (now discontinued)*  
*Youth Commission (now discontinued)*

\*Footnote #2

In 2011, I was not reelected. I believe that this occurred because of my discontinuance in saying the Pledge of Allegiance. After being on Council for three years and repeating the Pledge of Allegiance multiple times each year, I became disenchanted with the pledge as it was written in 1892 and stopped saying it. It has not been updated. There was mention of liberty and justice for all but no mention of the equality that had been so prominent in Lincoln's Gettysburg Address. Equality had been left out in 1892 because there was no equality for women, no viable equality for persons of color, persons with disabilities, persons with diversity in gender or sexual orientation, Native Americans. There was no mention of caring for the natural world or the climates upon which we depend. The words "under God" had been considered a non-inclusive, anti-communist, exploitive political addition added when I was in high school during the early 1950s.

My stopping saying the pledge in each Council meeting continued five years. But my opponents noticed, and in February of 2011, on the first official day of the 2011 campaign, they attacked my "lack of patriotism". All of a sudden people were saying, that I did not believe in God (even though I was an ordained minister). And that I must be a communist sympathizer. There were radio ads throughout each day which directed insinuations about my lack of trustworthiness and lack of appropriate citizenship. The updated Pledge of Allegiance which I provided to newspapers in Morgantown, Charleston and Washington, DC was one that I called A PLEDGE OF ALLEGIANCE FOR THE TWENTY FIRST CENTURY was as follows:

**I pledge allegiance to the Flag of the  
United States of America and to the  
Democratic Republic for which it stands:  
Working toward an inclusive Nation, on a  
shared and cared for Planet, with Civil  
Liberty, Equal Rights, and Justice for All.**

**Adapted November 28, 2006  
Don Spencer, Morgantown, WV**

Other members of Council were powerless to give support for fear of being linked with the criticism I was receiving. There were many residents who understood that most of the negativity was coming from an apparent singular, unlimited supply of cash. They turned out and voted in support of my candidacy. But when the votes were counted, I was 100 votes short from being reelected. The opposition also went after the mayor, but he had several thousand dollars that he could put into radio ads to help squeak by the assault. I did not have the resources to create a viable backstop. The meager resources from my fund-raising were insufficient.

The implications of it all was a change in the balance of control of the City Council. The new majority were similar to those in control of the state legislature today. This led to the forcing of Morgantown's black city manager out of office and the loss of his experience in building cost-effectively two new city halls; the voting to discontinue the vote-by-mail participation which had generated the highest vote count in Morgantown in 20 years. The action also removed an opportunity for West Virginia being able to use the vote by mail as an option for WV communities and to establish WV as one of the most progressive states in east.