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STATEMENT REGARDING BERKELEY HEIGHTS ELEMENTARY SCHOOL AUDIO

In the fall of 2018, Prosecuting Attorney Catie Wilkes Delligatti, along with her office's victim's advocate and investigator, met with Kasey Murphy and Amber Pack, the mothers of two children who had previously attended Berkeley Heights Elementary School. Ms. Pack provided an audio recording of eight hours in the classroom, which was thoroughly reviewed by Investigator Scott Dillon. Investigator Dillon found that the recording contained numerous instances of verbal abuse that are frankly unconscionable.

The audio recording had also been previously investigated by the Martinsburg City Police Department, and Chief Richards stated that his Department was unable to determine that the evidence met the elements of a criminal offense.

Ms. Delligatti reviewed Investigator Dillon's findings and the report of the Martinsburg City Police Department and concurred that a criminal offense could not be proven. The verbal treatment of Ms. Pack and Ms. Murphy's children is shocking and disturbing. However, under West Virginia law, verbal abuse of children is not a criminal act.

Ms. Delligatti echoes the concerns of Berkeley County citizens regarding the treatment of these children and has reached out both to the West Virginia Department of Education and the Berkeley County Board of Education to urge the appropriate parties to take action regarding the mistreatment of these children, and will lend any support her office can provide to the investigations opened by the West Virginia Department of Health and Human Resources Child Protective Service and the Civil Rights Office of the U.S. Department of Education.