



**Chris Kelly**  
573-489-0684  
kelly4como@gmail.com

FOR IMMEDIATE RELEASE  
Friday, January 25, 2019

## Kelly Reacts To Tate Reassignment

COLUMBIA, Mo. – As one who has been accused of being “guilty by tweet”, I know the difference between insensitive humor and racially motivated, misogynistic slurs. From the outside looking in, the online persona of Lt. Brian Tate paints a picture unbecoming anyone, let alone a public servant. The question is whether our embattled Police Department, with its interim leadership, has taken the appropriate action.

My first inclination is to say that Lt. Tate should be summarily fired—that such attitudes cannot be wiped away by a slap on the wrist, a reassignment away from public interaction, or forced cultural sensitivity training.

While my judgment regarding Lt. Tate’s comments is to find them reprehensible, our judgment regarding the response to those comments by the Acting Chief and Interim City Manager must be more nuanced. First, the Mayor and Council must respect the City Charter and defer to the Manager on personnel matters. The Manager and the Chief must consider the law on the subject and that is far from clear. It is instructive to note that in the Pickering Case, the Supreme Court has considered the question as to what extent a public employee may speak pursuant to First Amendment protections and when that line is breached or harms an employer and/or community. The Manager has the duty to safeguard the City. He must consider both the appropriate behavior of City employees, how that behavior will affect its citizens, and the financial implications for the City.

It is tempting for politicians, especially in the heat of a campaign, to substitute politically popular rhetoric for the judgment of the Manager and the Chief.

While I strongly condemn the words of Lt. Tate, I will respect the Charter that we the people of Columbia have adopted and refrain from comment on the interim decision reached.

I reiterate my call for a comprehensive, external review of the Columbia Police Department, which in my opinion should include the role of the Police Review Board, the Department’s history of attempts to limit the power of the CPRB, and its current functionality.