

E. Brian Rose  
Redacted Address  
Ocean Springs, MS 39564

September 14, 2024

Alderman Kevin Wade  
1018 Porter Avenue  
Ocean Springs, MS 39564

**Subject: Urgent Call to Address Retaliation and Illegal Conduct by City Clerk Patty Gaston**

Dear Alderman Wade:

Throughout my life, I have worn many hats, but journalism is the one I always find myself coming back to. Recently, I've stepped back into this role, covering events throughout the Gulf Coast. However, what I've encountered in Ocean Springs is unlike anything I've seen before, and it has left me deeply concerned.

As you may know, after I published a factual report about a recent Planning Commission meeting, I became the target of personal attacks and retaliation from City Clerk Patty Gaston.

Within hours of my article going live on *The Ocean Springs Weekly Record*, Ms. Gaston sent a series of retaliatory text messages to my editor, Leigh Coleman. "Your new writer is a piece of shit... I am over it. I just received some texts about him. I do have some funny interesting stuff to tell you," Gaston wrote, hinting that she would be sharing damaging personal information about me to my new employer. Ms. Gaston also used her position as City Clerk to repeatedly call and demand the paper retract the story.

When city officials start bullying reporters and threatening to dig up personal dirt on them, it sends a message to the entire community: Speak out, and you'll be next. If this behavior is allowed to continue unchecked, it sets a dangerous precedent for our city. A free press and open discourse are cornerstones of democracy, but in Ocean Springs, those freedoms are being trampled.

These actions are not just unprofessional, they are dangerous. When city officials feel emboldened to attack those who question them, it threatens the very freedoms we all hold dear. This isn't just about a single article or a single reporter. It's about the growing pattern of dismissiveness and bullying that has infected our city government.

I swore an oath to defend the Constitution before donning the uniform and deploying to combat zones, which ultimately left me a permanently disabled veteran. That oath — to protect and defend the principles enshrined in the Constitution — has guided me through every chapter of my life. You, as an Alderman, swore a similar oath when you took office. That oath is not just a formality; it is a sacred promise to uphold the rights and freedoms of the people you serve. Among the most fundamental of those rights is the First Amendment: the right to free speech and a free press.

In **N.Y. Times Co. v. Sullivan**, the Supreme Court ruled that public officials must have a higher tolerance for criticism, stating that "debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials" (376 U.S. 254, 270). The Court reiterated these principles in other similar cases, such

as **Pickering v. Board of Education** and **Garrison v. Louisiana**, further solidifying that speech concerning public matters is essential to the functioning of democracy and must be protected from retaliation.

The retaliation I faced from City Clerk Gaston, specifically aimed at jeopardizing my employment for simply reporting facts, is a violation of these principles and undermines the very democratic process we are sworn to protect.

**I call on you to take immediate and decisive action.** City Clerk Patty Gaston must be held accountable for her **egregious and illegal** behavior. This is not a matter of simply reprimanding an employee. This is about restoring the public's faith in its government and sending a clear message that intimidation, retaliation, and bullying have no place in City Hall. I demand that you call for a formal investigation into Ms. Gaston's actions and pursue any disciplinary measures necessary, up to and including her removal from office.

We are at a critical juncture for the future of our city. I hope you will act with the integrity and leadership expected by the people of Ocean Springs. Uphold your oath, protect the rights of the people, and ensure that Ocean Springs remains a place where free speech is not only valued, but truly upheld.

**I formally request that this letter be admitted into the permanent record of the upcoming September 17, 2024, Board of Alderman meeting.**

Sincerely,

*/s/ E. Brian Rose*

E. Brian Rose

Journalist

Redacted Contact

Attachment: September 12, 2024 article published in the Ocean Springs Weekly Record

CC:

Alderman Blackman

Alderman Burgess

Alderman Cox

Alderman Papania

Alderman Wade

Alderman Authement

City Attorney